

Also, a bill (H. R. 14622) granting an increase of pension to Ellar Bales; to the Committee on Invalid Pensions.

By Mr. COCHRAN of Pennsylvania: A bill (H. R. 14623) granting an increase of pension to Clarence R. Zerbe; to the Committee on Pensions.

By Mr. CURRY: A bill (H. R. 14624) granting an increase of pension to Mary E. Jasper; to the Committee on Invalid Pensions.

By Mr. HARDY: A bill (H. R. 14625) for the relief of Gale A. Lee; to the Committee on Claims.

By Mr. SPENCE: A bill (H. R. 14626) for the relief of E. R. Henderson; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

10287. By Mr. BACON: Petition of residents of Southampton, N. Y., urging constitutional amendment eliminating count of aliens for apportionment purposes; to the Committee on the Judiciary.

10288. Also, petition of sundry residents of Flushing, N. Y., and vicinity urging the adoption of a constitutional amendment eliminating the count of aliens for apportionment purposes; to the Committee on the Judiciary.

10289. By Mr. BOEHNE: Petition of the National Aeronautic Association, Evansville, Ind., protesting removal of lighted airway between Danville, Ill., and Evansville, Ind.; to the Committee on the Post Office and Post Roads.

10290. Also, petition of Mrs. John Leigh and others, praying for the retention of the eighteenth amendment; to the Committee on the Judiciary.

10291. By Mr. COCHRAN of Pennsylvania: Petition of Woman's Home Missionary Society, signed by Mrs. C. H. Farr, president, and Mrs. E. M. Williams, secretary, urging the establishment of a Federal motion-picture commission, with a view to regulating and supervising the motion-picture industry; to the Committee on Interstate and Foreign Commerce.

10292. By Mr. GIBSON: Petition of Veterans Advisory Council, of Burlington, Vt., opposing reduction in benefits of World War veterans and veterans of foreign wars; to the Committee on Appropriations.

10293. By Mr. KELLY of Pennsylvania: Petition of citizens of East Pittsburgh, Pa., asking for revaluation of the gold ounce; to the Committee on Coinage, Weights, and Measures.

10294. Also, petition of citizens of Elizabeth, Pa., favoring the stop-alien representation amendment to the United States Constitution; to the Committee on the Judiciary.

10295. By Mr. LINDSAY: Petition of Substitute Post Office Employees' Association, New York City, favoring House Joint Resolution 576; to the Committee on Expenditures in the Executive Departments.

10296. Also, petition of America's Wage Earners' Protective Conference, New York City, favoring the passage of House bill 14413; to the Committee on Ways and Means.

10297. Also, petition of M. H. Haertel, advisory director, Wood Chemical Institute (Inc.), urging tax on certain imports according to depreciation of foreign currency; to the Committee on Ways and Means.

10298. By Mr. McFADDEN: Petition of the Board of Trade, Nicholson, Pa., by A. E. Hoadley, president, and W. P. Fahringer, secretary, favoring economy and ultimate lower taxation; to the Committee on Ways and Means.

10299. Also, petition of 50 members of the Church of Christ of Bloomsburg, Pa., by Mary L. Sharpless, protesting against all legislation to nullify, weaken, or repeal the eighteenth amendment, and for continued law enforcement; to the Committee on the Judiciary.

10300. By Mr. SPENCE: Petition of Mrs. John Roach and others, of Covington; Mrs. William Williams and others, of Newport; Frank J. Plantholt and others, of Bellevue; Mr. and Mrs. Mart Eisenman and others, of Ludlow; Bert M. Dickman and others, of Dayton, all of the State of Kentucky, urging the revaluation of the gold ounce and correcting

abuses growing out of mass production; to the Committee on Banking and Currency.

10301. By Mr. SUTPHIN: Petition of Woman's Christian Temperance Union, Middletown, N. J., opposing all legislation intending to nullify, weaken, or repeal the eighteenth amendment and the Volstead Act; to the Committee on the Judiciary.

10302. Also, petition adopted by the American Legion, Department of New Jersey, executive committee, on January 28, 1933; to the Committee on Appropriations.

10303. By the SPEAKER: Petition of the Council of the City of Zanesville, Ohio, urging that there be no repeal of the present laws enacted for the benefit of veterans and their dependents, and that the veterans be paid their adjusted-service certificates; to the Committee on Ways and Means.

10304. Also, petition of the National Association of Merchant Tailors of America, urging prompt action in balancing the Budget; to the Committee on Ways and Means.

10305. Also, petition of the National Association of Merchant Tailors of America, urging immediate passage of House bill 12044; to the Committee on Immigration and Naturalization.

10306. Also, petition of the National Association of Merchant Tailors of America, opposing further intervention of the Federal Government in private business; to the Committee on Expenditures in the Executive Departments.

10307. Also, petition of the National Association of Merchant Tailors of America, expressing its opposition to recognition of the Soviet Union; to the Committee on Foreign Affairs.

10308. Also, petition of the National Association of Merchant Tailors of America, expressing its opposition to the prepayment of the bonus; to the Committee on Ways and Means.

SENATE

FRIDAY, FEBRUARY 10, 1933

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Almighty God, our Heavenly Father, without whose help our labor is in vain, renew in us at this morning hour the sense of Thy gracious presence, and let it be to us this day a constant impulse to courage, trustfulness, and peace.

Thou hast committed to us a life of high vocation; let now Thine own breathing in our hearts interpret for us its sacred opportunities to serve the people of this Nation without stint of self, to share each other's burdens, and face with courage and discernment these pressing human problems with their changing tangled worth.

Touch with Thy glory every cloud of sorrow, shine with Thy light through the dull atmosphere of care, and above all else grant that humility may be our sanctuary and Thy service the very joy of our souls. Through Jesus Christ our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. Fess and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ORDER OF BUSINESS—THE CALENDAR

Mr. McNARY. Mr. President, I submit the following unanimous-consent agreement.

The VICE PRESIDENT. Let it be read for the information of the Senate.

The Chief Clerk read as follows:

Ordered, by unanimous consent, That after routine morning business shall have been disposed of the Senate proceed to the consideration of unobjected bills on the calendar under the 5-minute rule, beginning with Order No. 1212 (where the Senate left off yesterday), and upon its completion that the Senate then take up the calendar at the beginning under Rule VIII.

The VICE PRESIDENT. Is there objection?

Mr. KING. Mr. President, may I inquire of the Senator why we should go back to the beginning of the calendar today, in view of the call of the calendar yesterday?

Mr. McNARY. If the Senator had observed the reading of the unanimous-consent proposal, he would have noticed that it provides that unobjected bills on the calendar, beginning where we left off yesterday, shall first be considered.

Mr. KING. I so understood.

Mr. McNARY. Thereafter we will return to the beginning of the calendar and proceed at once under the provision of Rule VIII, which permits a motion to be made to take up a bill if there is objection to its consideration. The limitation of the unanimous-consent agreement is 2 o'clock.

Mr. BROOKHART. Mr. President, I desire to submit a motion at the beginning to take up a bill.

The VICE PRESIDENT. That can not be done at this time. Is there objection to the unanimous-consent request?

Mr. BROOKHART. If unanimous consent is not given, I hope it will be in order to submit my motion.

The VICE PRESIDENT. It would not be in order until after routine morning business is disposed of.

Mr. BROOKHART. If it will be in order immediately after the close of routine morning business, that is all I care to know.

Mr. McNARY. The unanimous-consent agreement preserves the rights of Senators. If the Senator has a bill which he wants to move to take up, it is covered in the second provision of the unanimous-consent agreement.

Mr. BROOKHART. But not until after we have completed the calendar. That would be too late, because some one would be able to filibuster on the bill until 2 o'clock.

Mr. McNARY. First we would dispose of unobjected bills on the calendar, which would be run through very hastily. Then a motion can be made by any Member of the Senate to take up a particular bill.

Mr. BROOKHART. If that will take only a little while, I am satisfied.

The VICE PRESIDENT. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Dale	Keyes	Schuyler
Austin	Davis	King	Sheppard
Bailey	Dickinson	La Follette	Shipstead
Bankhead	Dill	Lewis	Shortridge
Barkley	Fess	Logan	Smith
Bingham	Fletcher	McGill	Smoot
Black	Frazier	McKellar	Steinwer
Blaine	George	McNary	Stephens
Borah	Glass	Metcalf	Swanson
Bratton	Glenn	Moses	Thomas, Idaho
Brookhart	Goldsborough	Neely	Thomas, Okla.
Bulkley	Gore	Norbeck	Townsend
Bulow	Grammer	Norris	Trammell
Byrnes	Hale	Nye	Tydings
Capper	Harrison	Oddie	Vandenberg
Caraway	Hastings	Patterson	Wagner
Clark	Hatfield	Pittman	Walcott
Connally	Hayden	Reed	Walsh, Mass.
Coolidge	Hebert	Reynolds	Walsh, Mont.
Copeland	Hull	Robinson, Ark.	Watson
Costigan	Johnson	Robinson, Ind.	White
Couzens	Kean	Russell	
Cutting	Kendrick	Schall	

Mr. WALSH of Montana. My colleague [Mr. WHEELER] is unavoidably absent from the Senate on account of illness.

Mr. NORRIS. I wish to announce that my colleague [Mr. HOWELL] is absent on official business of the Senate.

Mr. FESS. The junior Senator from Wyoming [Mr. CAREY] is also absent on official business of the Senate.

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 1858. An act for the relief of Harriette Olsen;

S. 2144. An act authorizing the Secretary of the Interior to grant a patent to certain lands to Charles R. Thornton;

S. 2395. An act authorizing the conveyance of certain land to school district No. 15, Lincoln County, Mont.;

S. 3504. An act for the relief of Lyman L. Miller; and

S. 4166. An act for the relief of James M. Griffin, disbursing agent United States Coast and Geodetic Survey, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 221. An act authorizing adjustment of the claim of the Wilmot Castle Co.;

S. 968. An act for the relief of certain employees of the Forest Service, Department of Agriculture;

S. 4165. An act to remove existing discriminations incident to certain land grants and to subject them to the same conditions that govern other land grants of their class; and

S. J. Res. 167. Joint resolution to carry out certain obligations to certain enrolled Indians under tribal agreement.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the council of the city of Pittsburgh, Pa., favoring the passage of legislation authorizing the issuance of a special series of postage stamps to commemorate an anniversary of Brig. Gen. Thaddeus Kosciuszko, which was referred to the Committee on Post Offices and Post Roads.

He also laid before the Senate a letter in the nature of a memorial from C. A. Pugsley, of Peekskill, N. Y., remonstrating against the passage of pending legislation depriving retired officers of the Army of their retired pay, etc., which was ordered to lie on the table.

Mr. ROBINSON of Indiana. Mr. President, I have received a memorial signed by a number of citizens of Gary, Ind., protesting against the modification of the prohibition law. I send it to the desk and ask that it be appropriately referred.

The memorial presented by Mr. ROBINSON of Indiana of sundry citizens of Gary, Ind., remonstrating against the repeal of the eighteenth amendment to the Constitution or the modification of the national prohibition law was ordered to lie on the table.

Mr. TYDINGS presented the petitions of Joseph Peter Morgan, M. H. Newgirk, Anthony J. Nieberding, and sundry other citizens, all of Baltimore, Md., praying for the passage of legislation to reevaluate the gold ounce, which were referred to the Committee on Banking and Currency.

He also presented the petition of members of Janet Montgomery Chapter, Daughters of the American Revolution of Maryland, and sundry other citizens of Baltimore, all in the State of Maryland, praying for the passage of the so-called Dies bill, being the bill (H. R. 12044) to provide for the exclusion and expulsion of alien communists, which was ordered to lie on the table.

Mr. COPELAND presented a petition of sundry citizens of St. Johnsville, N. Y., praying for the enactment of legislation providing for the exclusion of aliens in the count of population for apportionment of Representatives in Congress, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Buffalo, N. Y., and vicinity, praying for the enactment of legislation reevaluating the gold ounce, correcting certain financial practices, and eliminating abuses associated with present mass production, which was referred to the Committee on Banking and Currency.

He also presented a resolution adopted by Mohican Local, No. 155, International Brotherhood of Paper Makers, of Glens Falls, N. Y., favoring the imposition of a tariff that will adequately safeguard the pulp and paper industry, which was referred to the Committee on Finance.

He also presented a resolution adopted by General Henry W. Lawton Camp, No. 21, United Spanish War Veterans, Department of New York, of Brooklyn, N. Y., remonstrat-

ing against curtailment of pensions or other allowances to Spanish War veterans, which was referred to the Committee on Finance.

He also presented a resolution adopted by the Lackawanna Railroad Veterans' Association, of Hoboken, N. J., protesting against the ratification of the Great Lakes-St. Lawrence seaway treaty, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Woman's Club of Albany (Inc.), of Albany, N. Y., favoring the prompt ratification of the World Court protocols, which was ordered to lie on the table.

He also presented resolutions adopted at Detroit, Mich., by the annual convention of the National Association of Merchant Tailors of America, favoring the balancing of the Budget; reduction in governmental expenditures; the repeal of legislation which appropriates more than \$450,000,000 annually for the care of ex-service men whose disabilities have no connection with their war service; a fair and equitable settlement of debts owed by foreign nations to the United States; the immediate repeal of the prohibition law; the taxation of Government officials receiving salaries in excess of the exemption allowed private citizens; a wider distribution of the tax burden; legislation providing for the exclusion and expulsion of alien communists; and protesting against Government intervention in business; the recognition of Soviet Russia; and the cash payment of World War veterans' adjusted-compensation certificates, which were ordered to lie on the table.

He also presented a resolution adopted by Lodge No. 425, International Association of Machinists, of Utica, N. Y., favoring the passage of Senate bill 5125, to provide for cooperation by the Federal Government with the several States in relieving the hardship and suffering caused by unemployment, and for other purposes, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Great Neck, N. Y., remonstrating against further reductions in the salaries of Federal employees and reductions in personnel or appropriations for the Army, Navy, and Marine Corps, and favoring the building up of the Navy to treaty strength, which was ordered to lie on the table.

He also presented a resolution adopted by the Woman's Home Missionary Society of the village of Oriskany Falls, N. Y., protesting against the repeal of the eighteenth amendment or the modification of the national prohibition act, which was ordered to lie on the table.

PROHIBITION ENFORCEMENT

Mr. COSTIGAN. Mr. President, I send to the desk and ask to have noted in the RECORD and appropriately referred various and sundry memorials and other communications protesting against the repeal of the eighteenth amendment and the legalization of beer.

The VICE PRESIDENT. The memorials will be received and lie on the table.

The memorials and other communications presented by Mr. COSTIGAN remonstrating against the repeal of the eighteenth amendment to the Constitution or the passage of legislation to legalize the manufacture and sale of beer are from the following: Rev. J. E. Jensen and Mrs. R. T. Hallock and 21 other citizens of Briggsdale; Rev. R. W. Creighton, minister, and Milt Warner, clerk of session, and 49 other members of the First Presbyterian Church of Carr; 67 citizens of Greely, Gilcrest, La Salle, Evans, Pierce, Ault, Johnstown, Eaton, and Windsor; 113 citizens of La Junta; 29 citizens of Lamar; 51 citizens of Kit Carson County; 18 members of the Woman's Christian Temperance Union of Wray; 60 citizens of Montezuma County; 68 members of the Wheatridge Church, of Wheatridge; and 45 other citizens, all in the State of Colorado.

Mr. COSTIGAN. Mr. President, in addition to the memorials just presented, I send to the desk and ask to have noted and appropriately referred resolutions protesting against any modification of the Volstead Act or the repeal of the eighteenth amendment received from the members and officials of Colorado churches.

The VICE PRESIDENT. The resolutions will be received and lie on the table.

The resolutions presented by Mr. COSTIGAN are from the following:

The First Baptist Church of Arvada; The Arvada Presbyterian Church; the Free Methodist Church of Bayfield; the First Presbyterian Church, La Junta; the LeRoy Evangelical Church, Fleming; the Church of Christ, Denver; the Lowell Boulevard Church of the Nazarene, Denver; the Barnum Christian Church, Denver; the Alameda Evangelical Church, Denver; the Barnum Baptist Church, Denver; the Seventh Avenue Congregational Church, Denver; the Barnum Methodist Church, Denver; the United Churches of Otis; the combined churches and Woman's Christian Temperance Union of Englewood; and the First Baptist Church of Grand Junction.

A similar resolution signed by Harriet B. Graubeger, president sixth district of Colorado Woman's Christian Temperance Union at Fleming; Rev. E. R. Cameron, pastor First Presbyterian Church, Sterling; Rev. A. B. Breneman, pastor Evangelical Church, LeRoy; Rev. Martin E. Anderson, Central Presbyterian Church, Denver; Mrs. Arch Monroe, Sterling; B. J. Regatz, Sterling; Mrs. O. F. Pierson, secretary Sterling Woman's Christian Temperance Union, Sterling.

The Colorado Congress of Parents and Teachers, through its executive board, passed a motion favoring "no change in present national liquor laws." In forwarding a copy of the motion Mrs. Grace T. Shaw, State chairman of legislation, stated that the action of the board was an official expression of the 50,000 members of the Colorado Congress of Parents and Teachers.

Mr. COSTIGAN. There are herewith further presented for appropriate reference and consideration resolutions protesting against any modification of the Volstead Act or the repeal of the eighteenth amendment received from chapters of the Woman's Christian Temperance Union of Colorado.

The VICE PRESIDENT. The resolutions will be received and lie on the table.

Resolutions of chapters of the Woman's Christian Temperance Union in the State of Colorado were presented by Mr. COSTIGAN, as follows:

Limon, transmitted by Mrs. H. R. Jones, secretary; Colorado Springs, transmitted by Mrs. W. S. Round, president, and Gladys Narverud, corresponding secretary; Grand Junction, transmitted by J. E. Hornbaker, chairman resolutions committee; Dry Creek, transmitted by Anna D. Thorman, president, and Florence E. Briskey, secretary; Cedar-edge, transmitted by Mrs. Edith Ashurst, corresponding secretary; Burdett, transmitted by Mrs. J. G. Innes, president; Brush, transmitted by Mrs. Irene Stinton, president; Fort Morgan, transmitted by Mrs. E. R. Clarke, president, and Mrs. A. L. Shaffer, secretary; Wray, transmitted by Mrs. Cora Bower, chairman of meeting, and Mrs. Eda Errett, secretary; and Julesburg, transmitted by Mrs. Blanch W. Bushnell, president, and signed by 16 members.

Mr. SHEPPARD. Mr. President, I present certain memorials and communications in the nature of memorials from citizens of Texas opposing repeal of the eighteenth amendment, modification of the Volstead Act, legalization of beer, and supporting our present prohibition laws, and summary of such communications and memorials. I ask that these documents lie on the table and that the summary be printed in the RECORD.

The VICE PRESIDENT. The memorials will be received and lie on the table, and the summary printed in the RECORD.

The summary is as follows:

1. Communication from the Woman's Christian Temperance Union, Edinburg, Tex., Mrs. A. L. Ralston, president, dated November 30, 1932.
2. Resolution of Methodist Episcopal Church, San Juan, Tex., adopted at meeting November 28, 1932, A. E. Hughes, pastor.
3. Resolution adopted by Northwest Texas Conference of Methodist Episcopal Church South in session at Amarillo, Tex., November 13, 1932.
4. Letter in nature of memorial from Francis Willard Union, Woman's Christian Temperance Union, San Antonio, Tex., dated November 30, 1932.

5. Telegram in nature of memorial from Ministers' Association of Ranger, Tex., dated December 4, 1932.

6. Telegram in nature of memorial from Rev. George S. Slover, presiding elder, Stamford district, Methodist Episcopal Church South; Rev. C. R. Houghton, pastor, St. Johns Methodist Church, and Rev. Sam Morris, pastor First Baptist Church, Stamford, dated December 3, 1932.

7. Telegram in nature of memorial from Mrs. J. M. Glass, president San Antonio Woman's Christian Temperance Union, dated December 5, 1932.

8. Communication in nature of memorial from the Women's Missionary Society, First Methodist Church, Beeville, Tex., dated December 1, 1932.

9. Communication in nature of memorial from Women's Missionary Society, Hidalgo County, Tex., meeting at McAllen, Tex., December 1, 1932.

10. Resolution adopted by a county-wide prohibition meeting held at McKinney, Tex., transmitted by Rev. Claude M. Simpson, president Collin County United Prohibition Forces.

11. Communication in the nature of a memorial from mass meeting, Big Springs, Tex., held January 27, 1933.

12. Resolution adopted by mass meeting, Pittsburg, Tex., January 4, 1933, 500 present.

13. Communication in nature of memorial from citizens of Keene, Tex., in mass meeting assembled January 3, 1933.

14. Resolution from meeting United States Forces for Prohibition in Clarksville, Tex., January 1, 1933.

15. Communication in the nature of a memorial from citizens of Brenham, Tex., at mass meeting held January 7, 1933.

16. Resolution from mass meeting of citizens of Hill County at Hillsboro, Tex., January 1, 1933.

17. Memorial from St. Paul's Missionary Society, Houston, Tex.

18. Memorial from mass meeting of citizens of Fort Worth, Tex., January 7, 1933.

19. Memorial from members Morgan Sunday School, Lynn County, Tex.

20. Memorial from the Sunday school class, First Church of the Nazarene, Houston, Tex., dated January 23, 1933.

21. Communication in nature of memorial from local union Woman's Christian Temperance Union, Childress, Tex.

22. Memorial from Wesley Gleaner Sunday school class, Main Street Methodist Church, Cleburne, Tex.

23. Communication in nature of memorial adopted at mass meeting of citizens of Sherman, Tex., on January 7, 1933.

24. Communication in the nature of memorial from citizens of Denison, Tex., adopted at mass meeting on January 7, 1933.

25. Resolution in nature of memorial dated January 12, 1933, adopted by Workers' Conference Rehobath National Baptist Association, embracing 52 churches in Delta, Franklin, Hopkins, and other counties in Texas.

26. Communication in nature of memorial from mass meeting held at Seventh-day Adventist Church, Thrall, Tex., January 11, 1933.

27. Communication in nature of memorial from board of stewards, Oak Lawn Methodist Church, Dallas, Tex.

28. Resolution, Workers' Conference Pecos Valley Baptist Association held at Odessa, Tex., November 9, 1932, said association represents all Baptist churches in 11 West Texas counties.

29. Petition from 40 citizens of Colmesnil, Tex.; petition from 60 citizens of Arcadia, Tex.; petition from 50 citizens of Wharton, Tex.; petition from 22 citizens of San Benito, Tex.; petition from 96 citizens of Beeville, Tex.; petition from 100 citizens of Kile, Tex.; petition from 320 citizens of Keene, Tex.; petition from 55 citizens of Palacios, Tex.; petition from 10 citizens of Brenham, Tex.; petition from Rosen Heights Woman's Christian Temperance Union, Fort Worth, Tex.; petition from citizens of Duane, Bangs, and El Campo, Tex.; petition from 57 citizens of Plains, Tex.; petition from 45 citizens of Dalworth Park, Tex.

Mr. SHEPPARD. Mr. President, I present a letter, addressed to President Hoover, from Richard H. Scott, president of the American Business Men's Prohibition Foundation, Chicago, Ill., which I ask may be printed in the RECORD; and as the joint resolution is on the calendar, I ask that the letter may lie on the table.

There being no objection, the communication was ordered to lie on the table and to be printed in the RECORD, as follows:

CHICAGO, December 17, 1932.

The Hon. HERBERT HOOVER,
President of the United States,
Washington, D. C.

DEAR MR. PRESIDENT: In the crisis which the Nation faces at the present moment in regard to the liquor question, I take the liberty, as president of the American Business Men's Prohibition Foundation, of submitting the following statements of fact, which comprise our answer of economic findings to the question, "What of industry if beer returns to business?"

Those who profess to see in the relegalizing of beer an asset to legitimate business and an aid to the return of prosperity, ignore, or at least overlook, the following facts:

(1) The commodity of the brewing traffic, beer, is always and everywhere a direct competitor with legitimate business for the people's current income.

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(2) The return of the legalized liquor traffic, of which the beer trade was 90 per cent of the total in preprohibition days, would directly and destructively affect many legitimate industries which have grown remarkably since the enactment of the eighteenth amendment, and which, contrary to the effect of the beer traffic, have through their own growth permanently benefited countless other legitimate businesses.

(3) Wherever in the old days the liquor traffic and the beer trade were legalized and licensed, there local industry in the long run always suffered, and crime, disorder, disease, and destitution inevitably followed.

AVAILABILITY

Even superficial examination of the reasons for this would reveal that the cause in all cases was not the saloon nor any specific variety of drink but the availability of law-protected alcoholic liquor in beverage form.

DEMAND

A very large proportion of the alleged "demand" for alcoholic beverages was always the result of high-pressure salesmanship of a product legalized and protected by the Government. Stripped of the artificial stimulations of advertising and Government sanction, the liquor traffic, condemned by the findings of science, the demands of industry, and the moral judgment of civilization, can only continue as a result of our failure to educate the people regarding it and to more adequately administer the laws which protect the Nation from its legal ravages.

CONSUMPTION

Because of this it is natural to find that there has been an emphatic decline in the production and consumption of beer since the coming of prohibition, and authentic surveys confirm this conclusion.

Let us take for the purpose of comparison the years 1914 to 1930, since 1914 represents practically the peak of consumption of all alcoholic liquors in the United States. In that year, according to Government records, 2,252,272,000 gallons of liquor were consumed, which, on the basis of the formula approved by the United States Government, shows a total of absolute alcohol consumed of 156,583,383 gallons.

Following 1914 began a steady increase in local and State prohibition territory throughout the country. In 1917 the total consumption was, in round figures, 2,095,000,000 gallons. The rapid increase in prohibition territory was still further reflected in 1918, when the total consumption dropped to 1,894,181,043 gallons, which, in terms of absolute alcohol consumed, was approximately 117,761,451 gallons.

BEER CONSUMPTION DROPS

In 1930 an exhaustive and scientific survey was made by the Government of all possible materials entering into the manufacture of illegal alcoholic liquors and the figure for possible production based upon this survey, including a liberal estimate of even smuggled liquors, revealed a possible consumption of absolute alcohol of 73,831,172 gallons, a drop of 65 per cent over the 1914 figures.

The same survey indicated that, while the amount of distilled liquors had distinctly declined, the amount of beer consumed had been reduced from 2,056,407,108 gallons in 1914 to 683,000,000 gallons for the fiscal year ending June 30, 1930. Even the Association Against the Prohibition Amendment, the most radical wet organization in the country, through its statistical department, admits that the consumption of beer in 1930 did not exceed the Government estimate.

These figures for absolute alcohol do not include those for denatured alcohol for use in industry and the arts, which, as noted on Table II, page 19, of the United States Treasury Department Bureau of Industrial Alcohol Statistics Concerning Intoxicating Liquors (December, 1931), show that a total of 17,811,078 proof gallons of ethyl alcohol were withdrawn for denaturation in 1914 and the annual total of such denatured alcohol steadily grew, the 1930 figure being 148,303,438 gallons.

The answer to the question, "Will the brewer's dray bring prosperity with beer?" should be obvious to the merest tyro in the field of industry. Every beer truck under a relegalized traffic would be a concrete threat against the prosperity of every legitimate business within the vicinity of the brewers' retail outlets.

A modern truck carrying a load of 40 barrels of legalized beer would be sold for an ultimate retail total, conservatively estimated, of approximately \$700 per load.

Spent for beer in any community, this \$700 would be diverted from legitimate channels of trade and entertainment, and as a result the butcher, the baker, the grocer, the milk dealer, the soft-drink dispenser, the candy and ice cream retailer, the clothier, the shoe store, the dry-goods merchant, the radio store, the movies, the auto sales agencies—these and a host of others would suffer. And multiplied into a hundred million barrels, which the proponents of beer profess to believe would be sold when relegalized, we would have 2,500,000 truck loads of competition with all retail industry of necessities and wholesome luxuries, which at the moderate \$700 estimate per load as above noted would divert \$1,750,000,000 from legitimate business to the capacious pocket-books of the brewers.

IF BEER RETURNS TO BUSINESS

Therefore "if beer returns to business," relegalized by State and national governments and freed from the ban upon its advertising, open display and high-pressure sale, the result would simply be that several billion dollars a year would probably be coerced

from the people's pockets to buy intoxicating beer, and this total would, therefore, automatically be diverted from legitimate industry.

The claim of the brewers and their champions that the beer they desire to have relegalized will not be intoxicating is, and in the nature of things must be, a flat misstatement. There would be no liquor problem to-day were beer—the beer it is proposed to relegalize—actually nonintoxicating. As the brewer well knows, a nonintoxicating beer would necessarily have to be a beverage so dealcoholized as to lack liquor habit-forming power. If it were not habit forming they would never expect to coin billions out of it and if it were not habit forming there would be no objection to it now or at any other time.

If the brewers did not hope to be granted the right to market beer containing sufficient alcoholic content to make their product a habit-forming intoxicant, there would be no propaganda on its behalf.

Everything depends then, so far as the brewers' expectations go, upon legal sanction to sell a beverage, every drink of which will automatically create a thirst for more.

From the point of view of legitimate business, therefore, could there be anything more absurd than such a proposal of the brewers and their apologists?

The great need of America to-day in emerging from the present depression is the strengthening of constructive industry, which self-evidently means every kind of trade, craft, or business that not only gives value for value received but aids in promoting demand for other legitimate products and adds to the well-being of society.

In these three essentials the beer trade, legal or illegal, falls completely.

Let us look for a moment at the specious claim that to relegalize beer would promote the return of prosperity.

Relegalized beer, so they say, would immediately mean reemployment for many thousands; would reestablish a market for millions of bushels of grain; would help the cooper, the bottle maker; would increase the demand for coal, power, and transportation; would prove a boon to real estate and advertising.

All of these much-advertised prospective benefits of a reestablished beer trade fade into unsubstantial illusion and mirage when viewed in the light of the unavoidable industrial damage done by the traffic under all conditions.

Under old license conditions there was a continuous army of millions of men wholly or partially incapacitated by beer and other liquors, their labor efficiency reduced, their economic standing imperiled or destroyed, as victims of the habit-forming appeal of the legalized liquor shop. Under the reestablishment of the beer trade, that army would once more be rapidly recruited.

So far as the farmer is concerned, facts show that prohibition has benefited him in many concrete ways. For example, in a single expanding field since the beer trade and the liquor traffic were legally banned, the demand for dairy products alone now require the production of more than three times as much grain as was used by the entire liquor traffic in its most prosperous days.

Instead of prohibition dealing a blow to the barley farmers of the country, the production of that grain alone has increased from 256,225,000 bushels in 1918, the highest preprohibition point of production, to 325,893,000 bushels in 1930, requiring for its growth 12,437,000 acres, as compared with 9,470,000 acres in 1918, the highest average before national prohibition.

As far as legitimate business is concerned, consider a few facts. From 1917 to 1929 (for 10 years under the eighteenth amendment) the per capita consumption of milk increased from 754.8 pounds to 997.5 pounds.

Another even more significant fact is the growth of the soft drink business during the past decade. The total value of soft drinks produced in 1930 is estimated by the Association of American Bottlers of Carbonated Beverages as \$625,000,000, a production increase of 100 per cent since 1922.

BEER AND THE AUTOMOBILE

The automobile industry is best gaged by the fact that the registration of automobiles has grown from 9,232,000 in 1920 to 25,814,103 in 1931. During that time the production of inexpensive cars has advanced from 59 per cent of the total production in 1920 to more than 83 per cent of the total production of 1930, an actual production of 26,180,346 low-priced cars in the 11 years, 1920 to 1930.

The owners of these low-priced cars are, for the most part, to be found naturally among the 68 per cent of the people whose annual income is \$5,000 or less. And it is from this more than two-thirds of the American people that the brewers must expect the larger part of their prospective income were beer relegalized.

Similarly, since prohibition was enacted, the movie theater business has grown from a baby industry to one whose returns now exceed \$1,500,000,000 annually.

The assets of the building and loan associations since the adoption of the eighteenth amendment have grown from \$20 to \$67 per capita at the last report, in 1928, while memberships in these associations have increased from 41 to 100 per 1,000 population. Meanwhile savings deposits show a growth from \$144 to \$233 per capita, while life insurance in force has grown from \$342 per capita in 1921 to \$858 in 1929.

The difference in many other lines is marked, and all these figures to a large extent afford a significant explanation as to why millions of unemployed have been able to endure the present depression with less distress than in previous similar periods.

If the beer trade and liquor traffic had been legalized during all three years and were now competing with business in the old

and flagrant way of license days, our industrial conditions would be far more critical than they are.

The conclusion of our discussion may be summed up in brief as follows:

(1) Relegalizing beer would simply afford Government sanction and protection to what was always in license days a dangerous competitor for the people's dollar in all legitimate industry.

(2) The "demand" for beer and alcoholic beverages was always in the old days to a large extent the result of artificial stimulations of open sale, advertising, and Government sanction.

(3) According to all estimates, there has been a startling drop in beer production and consumption under prohibition as compared with the heyday of liquor prosperity.

(4) Relegalizing beer would be a costly means of "priming" the pump of prosperity, because it would immediately and damagingly affect legitimate business in the process.

(5) Local industry and, per se, national industries directly represented by these local outlets always suffer, both directly and indirectly, by the open competition of beer and the liquor industry.

(6) The beer now sought to be relegalized by the brewers and their champions is both patently and essentially an intoxicating beverage, as a nonintoxicating beer would necessarily have to be a beverage so dealcoholized as to lack habit-forming power, and therefore lack the element of superprofits for the makers.

(7) The great economic need in hastening the return of prosperity is the promotion of constructive industry and a more intelligent and effective support of the Government's able and unfaltering administration of prohibition.

I believe it is the duty and the plain common sense of all thoughtful American business executives and industrial leaders to stand as one man against these insidious bribes of an outlawed and discredited traffic and rather point the way, not back to the economic and destructive period of license but forward to a saner and more adequate State and local administration of our beneficent prohibition legislation.

In my opinion, the eighteenth amendment should be supported by American industry as a reasonable industrial safeguard and legislative advance that, given necessary time, will help to lift our Nation economically and socially to more efficient bases of commerce and ultimately higher standards of living.

Sincerely,

RICHARD H. SCOTT,

President American Business Men's Prohibition Foundation.

PROGRAM OF NATIONAL ECONOMY LEAGUE RELATIVE TO VETERANS' BENEFITS

Mr. ASHURST presented a resolution adopted by Morgan McDermott Post, No. 7, American Legion, of Tucson, Ariz., which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Whereas under recommendations of the Economy League Federal aid to veterans' widows, and orphans in the State of Arizona would be reduced annually approximately \$5,459,922, or 80 per cent of the total expenditure, which was \$6,824,903 in the year 1932. Elimination of this amount would increase local and State taxes fully 20 per cent and, in addition, place a heavy burden on local and State charity organizations if the league's program as recommended is adopted; and

Whereas the burden of hospital care and compensation is now borne by the Federal Government and, of course, the cost comes out of Federal income derived from big incomes, which is just and proper, and is a moral obligation of the Federal Government for which these ex-service men served in a great emergency, and the burden should not be shifted to the shoulders of the property owners who pay local and State taxes; and

Whereas the veterans affected are mostly either bed-ridden or unable to follow continuously a substantially gainful occupation it would be practically compulsory for the cities, counties, and State to provide them with proper hospitalization and the necessities of life; and

Whereas the National Economy League's program recommends that all veteran activities be conducted at one office in Washington, which, if accomplished, would eliminate the branch of the Veterans' Administration in Phoenix, thereby depriving worthy veterans of the prompt, essential, and beneficial care and relief now given them by that office: Therefore be it

Resolved, That we, the members of Morgan McDermott Post, No. 7, American Legion, Tucson, Ariz., in regular session assembled on this 2d day of February, 1933, hereby respectfully request that Hon. HENRY F. ASHURST read this resolution before the Senate of the United States and insert the same in the CONGRESSIONAL RECORD.

Attest:

SAMUEL H. FOWLER, Commander.
CECIL H. CLARK, Adjutant.

PRICE OF ROYALTY OILS IN WYOMING

Mr. KENDRICK. Mr. President, I have here a joint resolution passed by the Wyoming Legislature. It has to do with the prices now being paid in Wyoming for royalty oils, both Federal and State. It is in the form of an appeal to the Secretary of the Interior to exercise such influence as he may to induce the operators and refiners either to pay a better price for these royalty oils, in which both the Federal

Government and the States are interested, or to exercise every consistent authority he has in reducing the production in those fields.

The VICE PRESIDENT. The joint resolution will be printed in the RECORD.

The joint resolution was referred to the Committee on Public Lands and Surveys and ordered to be printed in the RECORD, as follows:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, A. M. Clark, secretary of state of the State of Wyoming, do hereby certify that the annexed is a full, true, and correct copy of Enrolled Joint Resolution No. 5, Senate, Twenty-second Legislature of the State of Wyoming, being original Senate Joint Resolution No. 4, approved by the governor on February 4, 1933, at 4.50 p. m.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 6th day of February, A. D. 1933.

[SEAL.]

A. M. CLARK, Secretary of State.
By C. J. ROGERS, Deputy.

Resolution urging the necessary action by the Secretary of the Interior of the United States and the State Board of Land Commissioners of the State of Wyoming to establish an equitable basis and fair market value and price for the crude oil produced from Federal and State owned lands in the Salt Creek field, Natrona County, Wyo.

Whereas the act of Congress entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, provided that 37½ per cent of the amounts derived from bonuses, royalties, and rentals received upon oil and gas leases granted by the United States of America shall be paid by the Secretary of the Treasury to the State within the boundaries of which the leased lands are located and 52½ per cent of such amount shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress; and

Whereas sections 78-402, Wyoming Revised Statutes, 1931, provides that the said moneys so received by the State of Wyoming from such royalties, bonuses, and rentals shall be utilized for the benefit of the schools, highways, university, and counties of this State; and

Whereas the development of the State of Wyoming requires the construction of additional reclamation projects within the State limits by the Federal Reclamation Service; and

Whereas the major crude-oil producing and purchasing companies operating in the Salt Creek field in Natrona County, Wyo., utilize their production in their own refineries; and

Whereas it would seem that the posted field price for the oil produced from such Salt Creek field is so low as to be unwarranted by the market price of its refined products; and

Whereas the basis for such reduction in the posted price is alleged to be in part the bootlegging of gasoline within the State of Wyoming and adjacent States; and

Whereas the production and sale of crude oil from the Salt Creek field at unwarrantably low posted prices will cause a material reduction in the oil royalties to be received by the State of Wyoming and the Federal Reclamation Service; and

Whereas the creation of such low posted and market price for crude oil within the State of Wyoming by the companies which not only produce, purchase, and/or refine such oil but also pay taxes upon the value of such oil at an assessed valuation equal to the posted price, if unwarranted by the values and market prices of refined products obtained from such crude oil, is arbitrary in its nature and unfair in its results and reduces the taxable property valuation of the State, to the detriment of all other taxpayers whose property has not been and can not be likewise reduced; and

Whereas it is to the best interests of the Federal Government, of all States benefiting from the Federal Reclamation Service, and of the State of Wyoming to compel operators of leases in the Salt Creek field to keep the crude oil in the ground rather than produce and sell it at a price which is unwarranted; and

Whereas the State of Wyoming is the owner of a school section located in the said Salt Creek field, has leased said land to a major oil operating company, and is receiving royalty as the result of the operations and the producing of crude oil from said land: Now, therefore, be it

Resolved by the Senate of the Twenty-second Legislature of the State of Wyoming (the House of Representatives concurring), That the Secretary of the Interior of the United States be, and he is hereby, requested and urged to take action forthwith under the leasing law of February 25, 1920, and the decision in the case of Wilbur, Secretary of the Interior, v. Texas Co. (40 Fed. Rept. (2d series) 787) to prevent the production and sale of oil from lands operated under Federal leases in the Salt Creek field at a price which is unfair to the Federal Government, the State of Wyoming, and all States benefiting from the Federal Reclamation Service; and be it further

Resolved, That the Board of Land Commissioners of the State of Wyoming be requested and urged to cooperate with the Secretary of the Interior of the United States for the purpose of obtain-

ing a fair price for all production from said Salt Creek field through necessary action in relation to the production from its leased lands, even though such action may result in a radical curtailment of the production from that field until such time as the market price for the said crude oil is established upon a basis which is equitable to all those interested; and be it further

Resolved, That one certified copy of this resolution be forwarded to the President of the United States, one copy to the Secretary of the Interior of the United States, one copy to each member of the Board of Land Commissioners of the State of Wyoming, and one copy to each member of the Wyoming congressional delegation.

WM. M. JACK,
Speaker of the House.
ROY H. CAMERON,
President of the Senate.

Approved 4.50 p. m., February 4, 1933.

LESLIE A. MILLER, Governor.

BIMETALLIC CURRENCY

Mr. NORRIS. Mr. President, I present a resolution of the Senate of the State of Nebraska, which, under the rule, I ask may be read and appropriately referred.

The resolution was read and referred to the Committee on Finance, as follows:

Resolution respecting bimetallic currency

Whereas there is pending in the Congress of the United States a bill to establish a bimetallic system of currency, employing gold and silver, to fix the relative value of gold and silver and to provide for the free coinage of silver, and for other purposes; and

Whereas it is the sense of this senate that the needs of the citizens of Nebraska and of the United States will be best served under present economic conditions by some sound system of inflating the currency: Now, therefore, be it

Resolved by the Senate of the State of Nebraska in Forty-ninth regular session assembled:

1. That we hereby memorialize and petition the United States House of Representatives and the United States Senate to consider favorably the Wheeler bill (S. 2487) now referred to and in the hands of the Committee on Finance of the United States Senate to the end that relief may be afforded to those States of the Union in which silver is mined in order that price of silver may be normally stabilized; that the aspects of the silver question be dealt with in so far as legislation is concerned as a necessary commodity as well as a monetary problem.

2. That certified copies of this resolution be sent to the Vice President of the United States, the Speaker of the House of Representatives, and each of the United States Senators and Representatives from Nebraska.

Introduced January 12.

Adopted January 13.

MEXICAN MIGRATORY LABOR

Mr. NORRIS. Mr. President, I present another resolution of the Senate of the State of Nebraska, which, under the rules, I ask may be read and appropriately referred.

The resolution was read and referred to the Committee on Immigration, as follows:

Resolution, Mexican migratory labor (introduced by Senators McCarter and Van Kirk)

Whereas the regulations and the restrictions of aliens migrating from the Republic of Mexico into the State of Nebraska and surrounding States is a Federal problem; and

Whereas the Bureau of Immigration and Naturalization of the Departments of Labor and Commerce has been designated by Federal law with the duty of enforcing Federal statutes on the subject of alien immigration; and

Whereas all questions relating to the entrance of aliens into the United States and the restrictions upon their movements while within the United States have many times been held to be Federal problems and within the purview of the Federal Labor Department; and

Whereas Mexican migrants, constantly increasing each year in number, are each year, coming into the State of Nebraska and lowering the standard of living of our splendid citizens who are skilled and trained in connection with the production of sugar in the sugar-beet industry of the State of Nebraska; and

Whereas no legislation enacted by the State of Nebraska can ever be enacted which will bring relief to the great mass of our sugar-beet workers without remedial legislation by the Congress of the United States limiting the quota of the Republic of Mexico or by more general powers granted to the Bureau of Immigration and Naturalization: Now therefore be it

Resolved by the Senate of the State of Nebraska in forty-ninth regular session assembled, 1. That we hereby memorialize and petition the United States House of Representatives and the United States Senate to act favorably upon any proposed legislation which will restrict and limit the perennial influx of cheap Mexican labor which seek admission to the United States; and that at least during the present session of Congress that the Bureau of Immigration and Naturalization be directed to investigate ways and means of relieving Nebraska labor from competing with Mexican labor.

2. That a certified copy of this resolution be sent to the Vice President of the United States, the Speaker of the House of Representatives, and to each of the United States Senators and Representatives from Nebraska.

Introduced January 18, 1933.

Adopted January 20, 1933.

MEMORIALS OF THE LEGISLATURE OF IDAHO

Mr. BORAH. I present two memorials passed by the Legislature of the State of Idaho, which I ask may be printed in the RECORD and referred to the Committee on Finance.

The memorials were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

STATE OF IDAHO, DEPARTMENT OF STATE.

I, Franklin Girard, secretary of state of the State of Idaho, and legal custodian of the original enrolled copies of all acts passed at the various sessions of the Legislature of the State of Idaho, do hereby certify that the annexed constituted a full, true, and complete transcript of the original enrolled copy of House Joint Memorial No. 4, enacted by the twenty-second session of the Legislature of the State of Idaho, and filed in this office the 3d day of February, 1933.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise, the capital of Idaho, this 4th day of February, A. D. 1933.

[SEAL.]

FRANKLIN GIRARD,
Secretary of State.

IN THE HOUSE OF REPRESENTATIVES.

House Joint Memorial No. 4 (by Smith (Custer), and McAfee), A joint memorial to the honorable the Reconstruction Finance Corporation of the United States of America.

Received and filed February 3, 1933.

FRANKLIN GIRARD,
Secretary of State.

IN THE HOUSE OF REPRESENTATIVES.

House Joint Memorial 4 (by Smith (Custer), and McAfee)

To the honorable the Reconstruction Finance Corporation of the United States of America:

We, your memorialists, the House of Representatives and the Senate of the State of Idaho, in legislative session assembled, most respectfully represent and petition as follows:

Whereas the future growth and prosperity of the south-central Idaho counties of Butte and Custer depend largely upon the action taken with regard to an application on file to borrow funds to purchase additional water for the lands in the valley proper; and

Whereas certain waters of Big Lost River are now made appurtenant to a Carey Act project contiguous to the lands supplied by natural-flow rights; and

Whereas it has been demonstrated for more than 12 years that diversion of this large quantity of water to the Carey Act project is detrimental to the prosperity of the people of Big Lost River Valley; and

Whereas the said condition can be remedied by purchase of the Carey Act project and its elimination from the irrigated area served by Big Lost River; and

Whereas the people of Big Lost River Valley have applied to the Reconstruction Finance Corporation for a loan with which to purchase the waters and storage rights of the Carey Act Co., and thereby eliminate from future competition of agriculture approximately 15,000 acres of land; and

Whereas Dr. Elwood Mead, Commissioner of Reclamation of the United States Department of the Interior, has made a personal inspection of the Big Lost River Valley irrigation system and has given his approval of the engineering feasibility of the plan; and

Whereas the application for a loan is now before the Reconstruction Finance Corporation; and

Whereas the twentieth session of the Idaho Legislature memorialized Congress to loan \$500,000 to the settlers of Big Lost River for the purpose of acquiring the Carey Act rights, and therefore the plan has been officially indorsed: Now, therefore, be it

Resolved by the House of Representatives of the State of Idaho (Senate concurring), That we most respectfully urge the Reconstruction Finance Corporation to favorably consider the application for a loan, so that the improvements above referred to may be accomplished; be it further

Resolved, That the secretary of state of the State of Idaho be authorized, and he is hereby directed, to forward this memorial to the Reconstruction Finance Corporation, and that copies hereof be sent to the Senators and Representatives in Congress from this State.

This house joint memorial passed the house on the 30th day of January, 1933.

ROBERT COULTER,
Speaker of the House of Representatives.

This house joint memorial passed the senate on the 30th day of January, 1933.

GEO. E. HILL,
President of the Senate.

I hereby certify that the within House Joint Memorial No. 4 originated in the house of representatives during the twenty-second session of the Legislature of the State of Idaho.

DONALD D. STEWART,
Chief Clerk of the House of Representatives.

STATE OF IDAHO, DEPARTMENT OF STATE.

I, Franklin Girard, secretary of state of the State of Idaho and legal custodian of the original enrolled copies of all acts passed at the various sessions of the Legislature of the State of Idaho, do hereby certify that the annexed constitute a full, true, and complete transcript of the original enrolled copy of House Joint Memorial No. 7, enacted by the twenty-second session of the Legislature of the State of Idaho and filed in this office on the 4th day of February, 1933.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise, the capital of Idaho, this 4th day of February, 1933.

[SEAL.]

FRANKLIN GIRARD,
Secretary of State.

IN THE HOUSE OF REPRESENTATIVES.

House Joint Memorial No. 7 (by judiciary committee), to the honorable the Senators of the United States of America.

Received and filed February 4, 1933.

FRANKLIN GIRARD,
Secretary of State.

IN THE HOUSE OF REPRESENTATIVES.

House Joint Memorial 7 (by judiciary committee)

To the honorable the SENATORS OF THE UNITED STATES OF AMERICA:

We, your memorialists, the Legislature of the State of Idaho, respectfully represent:

That relief through appropriate legislation must immediately be extended to those engaged in agriculture, to home owners, and to others who now find themselves in a condition, because of a depression which is not of their making, that they can not meet obligations that have been justly incurred and, through no fault of theirs, are about to lose the savings and accumulations of a lifetime;

That the relief that can be had under the proposed amendment to the national bankruptcy act recently passed by the House of Representatives of the Congress of the United States (H. R. 14359) will be more effective, more far-reaching, and more uniform in its operations than any relief that can be had through State legislation;

We would, therefore, most respectfully but earnestly urge your honorable body to promptly pass the proposed amendments to the national bankruptcy act, and we would urge that such action be taken at the earliest possible date, to the end that if relief in this national crisis can not be had through Federal legislation, that we may have time before the adjournment of our regular session to enact such State legislation, inadequate as it may be, to remedy a situation that seems to imperil our social and economic systems: Be it

Resolved by the House of Representatives of the State of Idaho (the Senate concurring), That the secretary of State be instructed to send immediately by air mail copies of the foregoing memorial to the Vice President of the United States and to Senators WILLIAM E. BORAH and JOHN THOMAS.

This house joint memorial passed the house on the 3d day of February, 1933.

ROBERT COULTER,
Speaker of the House of Representatives.

This house joint memorial passed the senate on the 3d day of February, 1933.

GEO. E. HILL,
President of the Senate.

I hereby certify that the within House Joint Memorial No. 7 originated in the house of representatives during the twenty-second session of the Legislature of the State of Idaho.

DONALD D. STEWART,
Chief Clerk of the House of Representatives.

RESOLUTIONS ADOPTED BY MASS MEETING OF CITIZENS OF TULSA, OKLA.

Mr. THOMAS of Oklahoma. Mr. President, on Monday night a thousand citizens of Tulsa, Okla., made up of bankers, business men, and real-estate men met in mass convention and adopted two resolutions. I present the first resolution, in the nature of a petition to Congress, and ask that it may be read at the desk.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will read, as requested.

The Chief Clerk read the resolution, as follows:

Resolution

Be it resolved by this mass meeting of citizens of the city of Tulsa, Okla., duly assembled in the Convention Hall of said city, That—

Whereas for many years there has been a shortage of money in circulation sufficient to carry the credit structure of the country and resulting in the inability of banks to carry a proper cash reserve; and

Whereas the situation has become more critical since credit has been demoralized; and

Whereas the relative value of the gold dollar, compared to commodities, has been increased from approximately 60 cents, when most of the existing debts were contracted, to \$1.60, so that it now in effect takes \$1.60 to pay a 60-cent debt; and

Whereas the present dollar is therefore a dishonest dollar, and the existing depression is a direct result of this fact, and the obvious remedy is to depreciate the value of gold to where it was when the debts were contracted which, under the natural law of supply and demand, can be done by lessening the demand for gold; and

Whereas we realize that one urgent need of to-day, in order to promote the general welfare, is a more plentiful supply of a cheaper, sound money, having, so far as is practicable, an intrinsic value 100 per cent of face, and depending as little as possible upon credit of Nation, bank, or individual, together with measures which will stabilize the relative value of the dollar to commodities; and

Whereas it has always been the declared purpose of the United States Government to adopt the free coinage of both gold and silver if same could be adopted by international agreement; and

Whereas practically all foreign nations have abandoned gold as a single monetary standard: Therefore be it

Resolved—

First. That we favor an expansion of the national currency, including the immediate remonetization of silver, and also favor the stabilization of commodity values, and, in this latter connection, we give our unqualified endorsement to the Rankin-Thomas bill.

Second. That instead of issuing tax-free short-term certificates of indebtedness for the necessary operating expenses, the Government issue United States notes in denominations of \$5, \$10, and \$20.

Third. That all money issued by the United States Government shall be legal tender at face value for all debts—public and private—including duties on imports and interest on public debt.

Fourth. That a copy of this resolution be sent to Senators THOMAS and GORE and to Congressman DISNEY and other Representatives in Congress from this State.

Adopted unanimously at Tulsa, Okla., this 6th day of February, 1933.

Attest:

MERRITT J. GLASS, *Chairman of Meeting.*
C. C. ROBERTS, *Secretary.*

Mr. THOMAS of Oklahoma. I ask that the resolution just read may be referred to the Committee on Banking and Currency.

The PRESIDING OFFICER (Mr. FESS in the chair). Without objection, it is so ordered.

Mr. THOMAS of Oklahoma. The second resolution which I present calls for two points to be considered by the Congress: First, that as to such foreclosure proceedings as are controlled by the Government, that is, under Federal land bank laws and the Federal home-loan bank system, and likewise the Reconstruction Finance Corporation, those agencies be requested and laws be passed, if necessary, to prevent the further institution of foreclosure proceedings upon their loans; second, that if foreclosure proceedings have been instituted they be withheld from further action. That is the first petition.

The second is that Congress take steps to influence the Comptroller of the Currency in the examination of national banks to cease his present policy of valuing stocks and bonds offered for collateral at their present market value and ask that the comptroller be instructed to have values placed upon such stocks and bonds at their actual value rather than their market value.

I ask that this resolution may be printed in the RECORD in full and referred to the Committee on Banking and Currency.

There being no objection, the resolution was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

Resolutions (by R. W. Kellough)

Be it resolved by this mass meeting of citizens of Tulsa, Okla., duly assembled in the Convention Hall of said city, That Senator ELMER THOMAS and Senator T. P. GORE and Congressman W. E. DISNEY are hereby requested to immediately take steps to obtain orders from the proper Government authorities directing that all banks, insurance companies, building and loan companies, or other institutions which have borrowed, or are attempting to borrow, funds from the Reconstruction Finance Corporation, or from any other department of the Federal Government, including the Federal home-loan bank, shall not institute any foreclosure suits, and if they have already commenced any that no further proceedings be taken therein; and be it further

Resolved, That these Senators and Congressman are hereby requested to immediately, in their official capacities, request the President, the Secretary of the Treasury, and the Comptroller of the Currency that proper orders be issued to all national banking institutions and their subsidiaries directing that no foreclosure proceedings be commenced and that no further proceedings be taken in those already begun; and be it further

Resolved, That Senator THOMAS and Senator GORE and Congressman DISNEY are further requested to immediately take steps to obtain from the President and the Secretary of the Treasury and the Comptroller of the Currency orders directing all examiners of national banks and their affiliated, subsidiary, or allied companies to immediately and henceforth disregard the quotations of the New York Stock Exchange on all stock lodged in such institutions as collateral on loans therein, and to value such collateral at its actual value as shown by the last financial statement of the corporation issuing such stock held as collateral; and be it further

Resolved, That a copy of this resolution, signed by the chairman of this meeting, be sent to each, Senator THOMAS, Senator GORE, and Congressman DISNEY.

Dated this 6th day of February, 1933.

Passed and approved this the 6th day of February, 1933.

MERRITT J. GLASS, *Chairman.*

Attest:

C. C. ROBERTS, *Secretary.*

ADVANCE PLANNING OF PUBLIC WORKS

Mr. WAGNER. Mr. President, I ask unanimous consent to have printed in the RECORD a bill introduced in the Legislature of the State of California providing for the advance planning of public works so that public works may be accelerated in times of depression and retarded in normal times. The reason I make this request is because the action is modeled after the one which Congress enacted two years ago as a national policy for the advance planning of public works.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Assembly bill No. 892, introduced by Mr. Dempster, January 24, 1933; referred to committee on unemployment

An act to amend the title of and to revise an act entitled "An act to provide for the extension of the public works of the State of California during periods of extraordinary unemployment caused by temporary industrial depression, and regulating employment therein, and authorizing the board of control to enforce the provisions hereof; and repealing all acts inconsistent with the provisions hereof," approved May 26, 1921, relating to advance planning and long-range budgeting of public works

The people of the State of California do enact as follows:

SECTION 1. The title of the act cited in the title hereof is hereby amended to read as follows: "An act to provide for advance planning and long-range budgeting of public works by the State as a means of furnishing employment during periods of depression, and making an appropriation therefor."

SEC. 2. Said act is hereby revised to read as follows:

"SECTION 1. There is hereby created a board to be known as the public works planning board, to be composed of 7 members, 3 to be appointed by the governor and to hold office at his pleasure and 4 to serve ex officio. Such ex officio members shall be the director of finance, who shall serve as chairman, the director of public works, the director of social welfare, and the director of industrial relations. The members of the public works planning board shall receive their actual and necessary expenses incurred in the performance of their duties.

"SEC. 2. The board shall appoint and fix the salary of a qualified administrator who shall be exempt from civil service, and, subject to civil-service regulations, such a staff of technical assistants and such other employees as the work may require.

"SEC. 3. For the purposes of this act, and except as the context otherwise requires, "construction" means and includes (1) all physical improvements paid for in whole or in part by public funds; (2) maintenance, repairs, and alterations paid for in whole or in part by public funds; (3) the purchase of such materials, supplies, and equipment as is necessary as a part of or incident to construction, as herein defined; and (4) the hiring of such services as is necessarily incident to construction as herein defined.

"SEC. 4. The public works planning board shall have the following functions:

"(1) To prepare a 10-year construction program for all State public works, coordinating the construction plans of the various State departments, such program to include a tentative assignment of each project to a given year.

"(2) To administer the 10-year construction program in such manner as to restrain construction of public works during years of active business conditions and employment, and to accelerate such construction during years of depressed business conditions.

"(3) To modify said program at the end of each biennium, adding projects for two additional years, or for such number of years as may be necessary to insure that there shall be at all times a construction program planned 10 years in advance.

"(4) To approve each construction program prepared by a State department before funds are made available for its consummation.

"(5) To require the various State departments to have on hand detailed plans for construction projects one year in advance.

"(6) To promote among the municipalities, counties, and other political subdivisions of the State the formulation of programs for the advance planning of public works.

"(7) To stimulate the construction of State, county, and municipal public works projects during the present and future periods of widespread unemployment.

"(8) To report biennially to the governor and legislature upon its activities, the construction program in process and contemplated.

"Sec. 5. For the purpose of properly timing public works, with a view to restraining such works during periods of prosperity and accelerating such works during periods of slack economic activity, the public works planning board shall have power and authority to secure information and data from any State department or official, to take steps to expedite the completion by the various State departments of their plans and programs for construction work, to amend, revise, approve, or reject the construction programs; and to determine what part of the construction program assigned to a given year shall be withheld until a later year or advanced to an earlier year. Such determination shall bind all parties involved therein.

"Sec. 6. As a means of aiding in the prevention of unemployment during periods of business depression, the board may direct the acceleration during such periods, to such extent as practicable, of the approved programs.

"The initiation of such accelerated program of public works shall be at the discretion of the public works planning board. In taking such action, the board shall be guided by the employment and pay roll indexes of the State department of industrial relations and by other suitable indexes of economic trends and by such other information of any character as it may consider pertinent.

"Whenever in the judgment of the board, based upon the best information available, a period of depression and unemployment is developing within the State, it shall authorize the initiation of the accelerated program of public works. Immediately thereafter the board shall determine the projects to be undertaken in addition to those authorized for the current year, and shall notify the various State departments to proceed immediately with the construction thereof.

"Sec. 7. The public works planning board shall prepare and submit to the fifty-first regular session of the legislature recommendations as to what methods of financing should be employed by the State to make effective the purpose of advance planning and long-range budgeting of State public works contemplated in this act.

"Sec. 8. It is hereby declared to be the policy of the State to arrange the construction of State public works, so far as practicable, in such manner as will assist in the stabilization of industry and employment through the proper timing of such construction, and that to further such policy there shall be advance planning and long-range budgeting of public works by the public works planning board and by the various departments of the State.

"Sec. 9. Each State department having charge of construction work shall have the following functions in connection with the program of advance planning and budgeting:

"(1) To prepare a 10-year construction program containing a tentative assignment of each project to a certain year, and including an estimate of the cost of each project, the estimated cost of land and of new construction to be shown separately for each item.

"(2) To submit such program to the public works planning board for revision or approval, when so required by said board.

"(3) To submit to the public works planning board, at the end of each fiscal year, proposed amendments and additions to the 10-year program.

"(4) To prepare and submit to said board detailed construction plans for projects one year in advance of the time proposed for their initiation.

"Sec. 10. There is hereby appropriated from any money in the State treasury not otherwise appropriated, the sum of \$25,000 to be expended in accordance with law by, and for the expenses of, the public works planning board for the eighty-fifth and eighty-sixth fiscal years."

REPORTS OF COMMITTEES

Mr. HALE, from the Committee on Appropriations, to which was referred the bill (H. R. 14363) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1934, and for other purposes, reported it with amendments and submitted a report (No. 1183) thereon.

Mr. KING, from the Committee on Immigration, to which was referred the bill (H. R. 8174) to exempt from the quota fathers and mothers over 60 years of age of United States citizens, reported it with amendments and submitted a report (No. 1179) thereon.

Mr. GRAMMER, from the Committee on the District of Columbia, to which was referred the bill (S. 5224) to regulate the bringing of actions for damages against the District of Columbia, and for other purposes, reported it with an amendment and submitted a report (No. 1180) thereon.

He also, from the same committee, to which was referred the bill (S. 5436) to amend section 653 of the Code of Law for the District of Columbia, reported it without amendment and submitted a report (No. 1181) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 4871) to amend the teachers' salary act of the District of Columbia, approved June 4, 1924, as amended, in relation to establishing the Wilson and Minor Teachers Colleges on a basis comparable with recognized standards for accredited institutions of like kind, to raising the trade or vocational schools to the level of junior high schools, and for other purposes, reported it with amendments and submitted a report (No. 1182) thereon.

He also, from the same committee, to which was referred the bill (S. 5053) to amend sections 416 and 417 of the Revised Statutes relating to the District of Columbia, reported it without amendment and submitted a report (No. 1186) thereon.

Mr. GLENN, from the Committee on Claims, to which was referred the bill (S. 4993) for the relief of C. J. Mast, reported it without amendment and submitted a report (No. 1185) thereon.

Mr. SMITH, from the Committee on Naval Affairs, to which was referred the bill (H. R. 5548) for the relief of George Brackett Cargill, deceased, reported it with an amendment and submitted a report (No. 1187) thereon.

Mr. MCGILL, from the Committee on Naval Affairs, to which was referred the bill (H. R. 9326) for the relief of John E. Davidson, reported it with an amendment and submitted a report (No. 1188) thereon.

Mr. SWANSON, from the Committee on Naval Affairs, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

H. R. 792. An act for the relief of William Joseph Vigneault (Rept. No. 1189); and

H. R. 6409. An act for the relief of William Joseph LaCarte (Rept. No. 1190).

Mr. DAVIS, from the Committee on Naval Affairs, to which was referred the bill (H. R. 1936) for the relief of Sydney Thayer, jr., reported it with an amendment and submitted a report (No. 1191) thereon.

Mr. SHORTRIDGE, from the Committee on Naval Affairs, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

H. R. 7263. An act for the relief of Felix Maupin (Rept. No. 1192); and

H. R. 9355. An act for the relief of David Schwartz (Rept. No. 1193).

Mr. SHORTRIDGE also, from the Committee on Naval Affairs, to which was referred the bill (H. R. 7548) granting six months' pay to Ruth McCarn, reported it without amendment and submitted a report (No. 1194) thereon.

Mr. SCHUYLER, from the Committee on Naval Affairs, to which was referred the bill (S. 4203) for the relief of William James Waters, reported it without amendment and submitted a report (No. 1195) thereon.

Mr. METCALF, from the Committee on Naval Affairs, to which was referred the bill (S. 2008) for the relief of Maurice M. Keleher, reported it with an amendment and submitted a report (No. 1196) thereon.

Mr. FRAZIER, from the Committee on Indian Affairs, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

S. 5525. An act to extend temporary relief to water users on irrigation projects on Indian reservations, and for other purposes (Rept. No. 1197); and

H. R. 12651. An act for the relief of the Uintah, White River, and Uncompahgre Bands of Ute Indians of Utah, and for other purposes (Rept. No. 1200).

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 5576. An act to authorize the creation of an Indian village within the Shoalwater Indian Reservation, Wash., and for other purposes (Rept. No. 1198); and

H. R. 11735. An act to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes (Rept. No. 1199).

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mr. VANDENBERG, from the Committee on Enrolled Bills, reported that on to-day, February 10, 1933, that committee presented to the President of the United States the following enrolled bills and joint resolution:

S. 221. An act authorizing adjustment of the claim of the Wilmot Castle Co.;

S. 968. An act for the relief of certain employees of the Forest Service, Department of Agriculture;

S. 4165. An act to remove existing discriminations incident to certain land grants and to subject them to the same conditions that govern other land grants of their class; and

S. J. Res. 167. Joint resolution to carry out certain obligations to certain enrolled Indians under tribal agreement.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON:

A bill (S. 5612) to provide for the selection of certain lands in the State of California for the use of the California State park system; to the Committee on Public Lands and Surveys.

By Mr. KENDRICK:

A bill (S. 5613) to provide for the granting of public lands to certain States for the elimination of lands from national forests, parks, reservations, and withdrawals in connection with such grants, and for other purposes (with accompanying papers); to the Committee on Public Lands and Surveys.

By Mr. KING:

A bill (S. 5614) authorizing the Reconstruction Finance Corporation to make advances to the reclamation fund; to the Committee on Irrigation and Reclamation.

By Mr. TYDINGS:

A bill (S. 5615) authorizing and directing the Secretary of War to issue to the Maryland National Guard certain property and supplies to replace that which was destroyed by fire; to the Committee on Military Affairs.

By Mr. WALSH of Massachusetts:

A bill (S. 5616) to incorporate the National Society of Women Descendants of the Ancient and Honorable Artillery Company; to the Committee on the Judiciary.

A bill (S. 5617) to place William H. Clinton on the retired list of the Navy; to the Committee on Naval Affairs.

By Mr. NEELY:

A bill (S. 5618) granting a pension to Rebecca Swisher Boyd; and

A bill (S. 5619) granting a pension to Fred Hodgkiss; to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

A bill (S. 5620) to authorize the payment of the expenses of prosecuting claims against the United States by the Kiowa, Comanche, and Apache Tribes from the tribal fund of such tribes, and for other purposes; to the Committee on Indian Affairs.

By Mr. SMOOT:

A bill (S. 5621) granting a pension to Susan Turner (with accompanying papers); to the Committee on Pensions.

By Mr. FRAZIER:

A bill (S. 5622) providing for an alternate budget for the Indian Service, fiscal year 1935; and

A bill (S. 5623) referring the claims of the Turtle Mountain Band or Bands of Chippewa Indians of North Dakota to the Court of Claims for adjudication and settlement; to the Committee on Indian Affairs.

FEDERAL-AID ROAD CONSTRUCTION—AMENDMENT

Mr. ODDIE. Mr. President, I send to the desk an amendment to House bill 14416, the Federal gasoline tax bill. My amendment consists of the Federal-aid road bill which passed the Senate last June.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table.

BOARD OF COTTON SUPPLY CONTROL, ETC.—AMENDMENT

Mr. BANKHEAD submitted an amendment intended to be proposed by him to the bill (H. R. 13991) to aid agriculture and relieve the existing national economic emergency, which was ordered to lie on the table and to be printed.

AMENDMENT TO STATE, JUSTICE, ETC., APPROPRIATION BILL

Mr. SHEPPARD submitted an amendment intended to be proposed by him to House bill 14363, the State, Justice, Commerce, and Labor appropriation bill, which was ordered to lie on the table and to be printed, as follows:

On page 27, line —, to insert between the words "amended and supplemented" and before the words "Provided further," the following: "Unless such wire tapping in each case shall have been previously authorized by the Assistant Attorney General of the United States in charge of prosecutions of violations of the national prohibition act, as amended and supplemented."

FIXING OF CERTAIN GRAZING FEES

On motion of Mr. STEIWER, the joint resolution (S. J. Res. 219) authorizing the fixing of grazing fees on lands within national forests (introduced by Mr. CAREY and Mr. STEIWER on December 17, 1932) was taken from the table and referred to the Committee on Agriculture and Forestry.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who announced that the President had approved and signed the following acts:

On February 7, 1933:

S. 284. An act for the relief of William B. Thompson;

S. 2982. An act for the relief of J. G. Seupelt; and

S. 3147. An act for the relief of Anna Pokorny.

On February 8, 1933:

S. 243. An act for the relief of S. F. Stacher.

On February 9, 1933:

S. 2200. An act to authorize the presentation of a medal of honor, posthumously, to the late Henry Clay Drexler and the late George Robert Cholister;

S. 4509. An act to further amend the act approved February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain"; and

S. 5357. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at or near Astoria, Oreg.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 13520) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BYRNS, Mr. ARNOLD, Mr. LUDLOW, Mr. WOOD of Indiana, and Mr. THATCHER were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 13710) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1934, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TAYLOR of Colorado, Mr. HASTINGS, Mr. GRANFIELD, Mr. MURPHY, and Mr. FRENCH were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 13872) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1934, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BUCHANAN, Mr. SANDLIN, Mr. HART, Mr. SIMMONS, and Mr. SUMMERS of Washington were appointed managers on the part of the House at the conference.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution and they were signed by the President pro tempore:

H. R. 14228. An act to change the name of "Roosevelt Island" to "Theodore Roosevelt Island"; and

H. J. Res. 565. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the presidential inaugural ceremonies in 1933.

RELIEF OF COTTON FARMERS

Mr. SMITH. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial appearing in the State, of Columbia, S. C., in reference to the substitution of certain cotton in lieu of production, and also certain telegrams relating to the same subject.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial and telegrams are as follows:

[From the State, Columbia, S. C., February 8, 1933]

LACK OF LEADERSHIP IN WASHINGTON—WHY NOT REVERT TO SENATOR SMITH'S PLAN?

More distressing than the allegation that many Congressmen are crooks is the present seeming lack of leadership in Washington. The charge of corruption can be heavily discounted, but the charge of futility seems only too true.

The disagreements, the inability to agree among even those Democrats upon whom dependence is generally placed, are far from cheering. Are these jealousies aroused over "plans"? Does one decline to give study to a plan of which he does not happen to be the father? Why can not something be done for agriculture now? Why wait for the extra session, when those who will direct legislation then are now in Congress?

Ninety million dollars has been made available for borrowers of money with which to buy seed, but so far as the South is concerned, two things are vital: One is to obtain wider world markets for cotton; but that will require time and cooperation of statesmanship. The other is to insure against a cotton crop in 1933 which will cause the existing surplus to continue or be increased. This can be provided for immediately.

The one practical plan to this end is Senator E. D. SMITH's plan promulgated 18 months ago. Why? Because under it it was proposed the Government would purchase some millions of bales of cotton at prevailing prices, and give cotton farmers who abstained from planting or who planted only enough to enable their tenants to keep going, a contingent ownership in that cotton bought and held by the Government.

Under that plan if a farmer cut his production, say 100 bales, and because of the general reduction of several million bales in the crop, prices advanced, that farmer would have the privilege of buying from the Government at cost of the year before 100 bales, and of enjoying the profit on said increase in price. He risked nothing.

That direct, personal interest in wiping out the cotton surplus would give every grower who signed up to reduce his acreage, a direct interest in general reduction. That interest would take the form of exercising a moral influence upon his neighbors. Bankers and supply houses and business generally would have the same incentive in curtailment.

Voluntary promises to reduce are worth less than nothing. That has been demonstrated time and again. The farmer must be able to see where he can have cotton to sell at a profit when he plants no cotton. That is what the Smith plan revealed to him.

Why not try the Smith plan? If producers have already sold their cotton, why not use part or all of the 3,500,000 bales now held by the Government to carry out the Smith plan? Hold it for the benefit of the farmers who cut production by that quantity!

Senator E. D. SMITH,
United States Senate:

Entire South is behind you in your efforts to save the southern cotton farmer, and we strongly indorse your bill. Please urge Agricultural Committee to report this out favorably at once, so that you can get it through Congress in time to save not only the southern cotton farmer but the entire South.

C. A. COBB,
Editor Progressive Farmer and Southern Ruralist.

ATLANTA, GA., February 8, 1933.

Senator ELLISON D. SMITH,
Care Senate Agricultural Committee, in Session:

Have carefully analyzed Smith cotton bill, now in committee, and believe it will save this year's cotton crop and be the salvation of cotton producers, therefore urge its approval by the committee without delay.

H. LANE YOUNG,
Chairman Agricultural Commission,
American Bankers Association.

Hon. E. D. SMITH,
United States Senator:

Your cotton bill, as reported in to-day's paper, if enacted, will unquestionably in our opinion bring about the desired result,

LAGRANGE, GA.

CHARLESTON, S. C.

particularly to the producer. It is far-reaching and easily workable. It is the only proposition we have seen which is feasible and is ultimately of benefit to all interests directly and indirectly connected with cotton.

JOHN F. MAYBANK & Co.

INTERGOVERNMENTAL DEBTS

Mr. WAGNER. Mr. President, I ask unanimous consent to have printed in the RECORD two editorials dealing with the subject of intergovernmental debts which appeared, respectively, in Collier's magazine in the issues of January 7 and 21, 1933.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From Collier's, January 7, 1933]

MAKE SELFISHNESS PAY

Get the facts straight about the war debts and we won't have much trouble finding the right answer.

Both political parties in their platforms demanded payment and opposed cancellation. To agree to cancellation or even reduction would be unpopular. This is the fact with which both Congress and the President must deal.

Another fact is that our own self-interest is going to determine our policy. Self-interest, not humanitarianism, generosity, or anything else, is going to rule. Self-interest, however, can be enlightened and intelligent.

We loaned the Allies about \$10,000,000,000 to pay for food, munitions, clothing, and other things connected with the World War. All of our creditors except Russia and Armenia have signed agreements to pay.

Between 1923 and 1926, through a reduction of interest rates, debts owed us were in effect reduced by about 51 per cent.

Payments were suspended June 30, 1931, by the Hoover moratorium. The first deferred payments came due December 15 last. Of all our creditors the British owe the largest sum. The December 15 payment was scheduled at \$95,500,000. The total due from Great Britain was \$3,788,500,000.

Her payments were to be made during 62 years in annual installments ranging from \$159,940,000 to \$187,350,000.

The British and other nations borrowed commodities, not gold. Wheat and cotton, munitions, and manufactured products were shipped abroad.

The debt agreements call specifically for payment "in United States gold coin of the present standard of weight and fineness or its equivalent in gold bullion" or in United States bonds.

The world supply of gold at the end of last October amounted to \$11,696,000,000. Of this the United States held \$3,818,000,000.

Obviously, therefore, the amount of gold outside the United States—\$7,878,000,000—is less than the sum of the war debts owed us.

If we demanded and got all the gold in the world, the war debts would still be unpaid.

The British Government had a total of \$678,000,000 in gold at the end of September. If we took all the British gold, our debt would be paid less than 20 cents on the dollar.

Obviously payment can not and will not be made in gold. The necessary gold supply does not exist.

The only possible way by which payments could be made is through imports of commodities and services.

We don't want any nation to return to us wheat, cotton, munitions, or any of the other commodities we loaned them. We erected tariff barriers, very high tariff barriers, for the precise purpose of keeping foreign goods out of the United States.

So the situation comes down to this: The debts can't be paid in gold. We won't accept payment in goods. Still we insist that payment must be made.

Plainly we are in a blind alley. Politically we insist upon a policy which practically is impossible of fulfillment.

It is easy to understand the politicians' difficulty. The debts owed us are represented by United States bonds. The bonds must be redeemed by taxes. If foreigners don't pay, Americans must. There's the rub.

But foreigners can not pay with anything we are willing to accept. Consequently the bare fact is that the greater part of the debts will not be paid. Annoying, but simple arithmetic.

What course, then, does our self-interest suggest in these circumstances? Shall we force our debtors to scrape the bottom of the cash box and give us all they have?

They might default, but assuming that they were willing to strip themselves clean of gold, would it profit us to take the last ounce?

Certainly not. The less gold a nation has the less valuable its currency becomes and the more disturbing it is to the well-being of other nations.

Have you thought about the recent great expansion in exports from Japan, not only to the United States but elsewhere?

The explanation is very simple: The Japanese yen is ordinarily worth 50 cents. Likely it went below 20 cents. With the yen at 20 cents, tariffs were not high enough to restrict Japanese imports.

Take the gold reserve vitally needed by Great Britain and at once the pound will drop in value. Directly and indirectly every class of Americans will be hit.

A hundred years ago Great Britain stood where we stand. Great Britain financed the wars against Napoleon. The Napoleonic war

loans were largely written off because the British decided it was more profitable to forgive the debts than to accept payment.

We shall serve ourselves best if with all possible expedition we negotiate new agreements in tune with these times.

The President and the Congress who have the courage to put national interest above political fears will deserve well of this Republic. In the long run we tend to get what we deserve.

[From Collier's, January 21, 1933]

LET'S PARK OUR PREJUDICES

More than a hundred years ago a group of New Yorkers wanted to establish a bank. Banks were few and unpopular.

So the legislature was persuaded to grant a charter authorizing the establishment of a water company. The water company was, incidentally, empowered to carry on a banking business. Thus secretly was founded one of the oldest and most reputable banks in the United States.

This little episode is typical of our history. Throughout our life as a Nation we have tried by prejudice and by law to forbid and to prevent natural economic development.

We tried, both through Federal and State laws, to prevent the establishment of corporations. So widespread was the feeling against corporations that Illinois forbade their owning land except as safe-deposit institutions. Consequently, any corporation which wanted to buy land had merely to qualify as such.

In endless other ways we have tried vainly to dam the currents of economic change.

When we reconciled ourselves to the existence of small corporations we decided to outlaw large ones. Thus we got our antitrust laws. Only the mentally blind, deaf, and dumb imagine that purpose was accomplished.

In spite of every political prejudice and every hostile act of legislation, more than any other people we transact our business through corporations. During a century and a half we have shown ingenuity enough to circumvent any impracticable law we were foolish enough to enact.

We are not unique in this. When Diaz was overthrown and Mexico was arranging a new constitution a delegate proposed a thoroughly foolish financial plan.

Another delegate argued that the suggestion was impossible since it violated the economic principle known as Gresham's law. Gresham's law is merely the observation that bad money drives out good, that people conceal and hoard gold if irredeemable paper is circulating.

The Mexican advocate of bad money was not stopped. He merely said, "repeal Gresham's law."

It sounds silly when a foreigner says it, but we, too, have tried to repeal habits and customs and instincts by an act of legislation. The eighteenth amendment is a hollow monument to futility.

We face many issues to-day which we are trying to settle with our prejudices and emotions rather than by a cool and intelligent consideration of the facts.

Congressmen, for example, are talking about the necessity of making money cheap because the farmer needs help.

Of course the farmer needs help. It is also true that from the days of Daniel Shays onward during the last 146 years rural politicians have cast sheep's eyes at cheap money.

We are not going to debase the American dollar. Our own self-interest will step forward, regardless of what laws we pass, and stop the process. Lots of good time and energy can, however, be wasted in pursuit of this false hope.

On the foreign front both we and the French, for that matter, have done more feeling than thinking about war debts.

We have never taken the pains to discover just what sort of settlement would benefit us most. "They hired the money, didn't they?" has been repeated as a complete summary of practical wisdom on this subject. As a matter of history, the answer is "No." They didn't hire the money. They hired munitions, food, and many other commodities but not the money.

Not that this matters now. It does matter, however, that at no time since the armistice has any convincing political leader had the wit or the courage to talk frankly to the American people concerning our own interest in these matters.

Two men, Senator BORAH and ex-Gov. Alfred E. Smith, did speak out last summer. But other matters diverted their attention, and nothing more was done.

What we want is not another political settlement dictated by prejudice and possibly in anger, but a clear-headed, discerning policy which projects a course that actually can be followed.

As to war debts, we say "let the foreigner pay." As to taxes, it is good political talk to say "soak the rich." All right in both instances, but only as far as it is practicable.

We seem to have reached the limit so far as the rich are concerned. Increased levies yield decreasing returns because the incomes are not there to be taxed. The money will have to come from other sources.

We shall unquestionably muddle through these difficulties even though we continue to refuse to think about them. There is enough strength and resource in this country to guarantee the future, whatever we do or neglect to do.

But we can hasten the time of recovery immeasurably if for once in our history we lay aside partisanship, prejudice, and claptrap and focus all the intelligence we possess and can employ upon the large matters immediately in front of us. We face no difficulty which we lack the mind to solve if only we are willing to work our minds and rest our prejudices.

EQUALIZATION OF TARIFF DUTIES

Mr. HULL. Mr. President, I ask permission to insert in the RECORD a few extracts from the recent testimony of Chairman Robert L. O'Brien, of the Tariff Commission.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. ROBERT L. O'BRIEN, CHAIRMAN, UNITED STATES TARIFF COMMISSION, BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, WHICH HAD UNDER CONSIDERATION EQUALIZATION OF TARIFF DUTIES BY COMPENSATING FOR DEPRECIATION OF FOREIGN CURRENCIES, ON THURSDAY, FEBRUARY 2, 1933

I have a clipping in my pocket which I think has appeared in your record on the situation in Holland, which is so clear as it relates to this bill that it ought to be repeated.

The legislative body in Holland asked the Finance Minister what were the advantages of depreciated currency, or of Holland's going off the gold standard. This Finance Minister said that they were partly illusory and partly temporary, and those that were not temporary were illusory and those that were not illusory were temporary.

That is the whole story, as it can be demonstrated very conclusively.

The two sets of bills here that are under consideration—the old Hawley bill and the Hill bill, and perhaps others—rest upon the illusion that you create an advantage by changing the measure of value.

The new Hawley bill, which has quite a little support—it has many merits and some defects—addresses itself to the temporary character of the thing. In other words, we want to keep squarely in mind the difference between the temporary side of this thing and the illusive or delusive side.

I was talking the other night with a man, a Republican who had served with honor and distinction on this committee, and had gone to even higher honors, who told me that this general currency-depreciation legislation reminded him of the man who had a fever. The doctor put a clinical thermometer under his tongue and it came out 105. The doctors and all present held up their hands in horror. "This man is terribly sick." Said a man in the room, "I will fix that all right." He had a clinical thermometer in the process of making, upon which the graduations had not been put. He marked some new graduations on it, stuck it under the man's tongue, and brought out that the man's temperature was 98.6. "He is well; his fever is gone."

Now, that is the picture. That is what might be called the delusive side of this thing, the theory that by changing a unit, or the measuring stick, or the clinical thermometer, you change the condition or the fever of the patient.

Mr. Chairman, I would crave the privilege to give a few illustrations from the past which I think it does no harm for this committee to take cognizance of. When I was a boy the gold dollar was worth \$1.14 in this country. It did not become par with gold until 1879 under the secretaryship of the Treasury of John Sherman and in pursuance of the Republican platform of 1876, which had declared for a resumption of specie payments.

Now, with that level of \$1.14 we were further off the gold standard in that period of the seventies than Canada is to-day, or has been. Did other countries levy extra duties, extra taxes, against us because we were producing things "so cheaply," because we had such an "undoubted advantage"? When it took \$1.14 of our money to buy \$1 in gold in the seventies, were we producing things more cheaply, so that other countries should have had a heavier duty against us? Was our competitive efficiency in the world increased by our gold being worth \$1.14?

To suppose so is to indict the entire Republican administration of that period. I had grown up to believe that the resumption of the specie payments in this country on January 1, 1879, was a wise thing, in pursuance of the platform of the Republican Party of 1876 and carried out by John Sherman, the Republican Secretary of the Treasury.

If there is one scintilla of basis behind the theory of the Hill bill, of the original Hawley bill, Mr. Sherman, the Secretary of the Treasury, was leading his country into an abyss of error; he was leading his country away from a low production cost and from a superior competitive efficiency.

The phrase is used constantly in the discussions of this matter, the "advantages" that countries have by going off the gold standard. If it were an advantage, we were enjoying it in the seventies. Were we producing things more cheaply because we were off the gold standard? Was our industry handicapped when we went back to specie payments in 1879? If so, Secretary Sherman was a blundering idiot to do it.

I wish to say further that there is no escape from the conclusion that if countries are better off, if their competitive efficiency is increased by being off the gold standard, then we ought to go off the gold standard. Every man in the House of Representatives who votes on February 13 for the unadorned Hill bill, for the unadorned principle that a country is a more serious competitive factor when off the gold standard, is voting to take this country off, and this country ought to go off. There are limits to which you can miseducate the people of a country with safety. That is my great objection to this general theory that underlies the old Hawley bill, the Hill bill, and others. It is that by the inescapable logic of it we ought to go off the gold standard ourselves.

I believe our going off the gold standard would be the paramount calamity of this entire disordered period. It would be a terrible thing and a needless thing, but one that is exactly called for by the logic of this line of legislation.

Our imports to-day are at a very low ebb, both in quantity and price. There is still a very heavy balance of trade in our favor, both in quantity and in value. We are not being flooded with imports.

Now, this whole affair is one upon which I am perhaps speaking a little feelingly—the Associated Press last year said I spoke vehemently. This is a period of popular madness. This depreciated-currency matter is a great lesson in the world of the power of propaganda. Every person tells everybody else and it keeps on going until people believe it.

I saw a very good man, a journalist, in the hotel here the other day who showed me a beautiful overcoat and said, "I was able to get that because England had gone off the gold standard."

I said, "Is that so? How is that?"

"I was over there. This coat would have been worth \$100 (we will say) several years ago, but because England is off the gold standard I could buy it for \$70 now."

I said, "Have you been in any clothing stores here of late? You have noticed comparable declines in prices in the United States?"

I said, "There is Liggett's drug store right across the street, where they tell me their articles are practically all American, and yet the drop in prices in hairbrushes—every sort of article you can pick out—has been just exactly as great. The only thing is the countries that are on the gold standard, like the United States, are expressing their price decline in a definite drop in prices. That is, the thing you bought and paid a dollar for, to-day you buy it for 50 to 75 cents."

The countries that have gone off the gold standard express part of that decline, or perhaps all of it, in the lessened value of the money. That is all there is to that.

Take Vermont and Maine. Every article in Vermont is being sold at a much lower price than formerly. Vermont friends of mine are selling milk at \$2.80 a hundred quarts that cost them \$5 to produce. Why? Is it because Vermont has gone off the gold standard? Is New York being flooded with Vermont milk because Vermont has gone off the gold standard?

The same is true of Maine, the potatoes in Maine. The same is true all over, but people have started this gold-standard story and everybody is telling it to everybody else; and there are people who want the duties increased—and I do not necessarily blame them; I think there is a good deal of argument for an embargo of all imported goods that can be produced here. But if you want that embargo, go ahead and pass it. Let us do things honestly and intelligently. An embargo or a horizontal increase in tariff applied to countries both on and off the gold standard would seem to me to have much of merit.

But I would like to see my countrymen act on this subject with the intelligence that the Hollanders are acting on it, in following their great Finance Minister.

And I want to say right here now that Holland has nothing on us in having a Finance Minister who told them the truth with such power and clarity. We have such a Finance Minister in this country.

I have here before me a speech made by Ogden L. Mills, whose clarity of thought in financial matters, whose courage and intelligence in voting for what he believes, or in advocating what he believes, seems to me unexcelled.

He went up to Columbia University the other night and addressed the faculty and students of Columbia University on the economic troubles of the world.

I read his speech through, as I have read every speech that he has made during the entire campaign. I read everything that Ogden Mills writes. You can not find in this speech one scintilla of support for the principle behind the Hill or the original Hawley bills.

In other words, this theory, the theory of curing the fever by changing the gradations on your instrument, there has not been a word from Ogden Mills in support of that. There is—in fact, I put my pencil on it—something that is entirely inconsistent with that theory, from Ogden Mills.

I said that in here there are some things in the Mills speech utterly inconsistent with that theory of these bills. Here is a line:

"Of those countries in Europe which through force of circumstances rather than choice experienced the panacea of inflation."

"Rather than choice." The theory behind the present depreciated-currency legislation, as I get it from various people—letters that I could quote—is that these countries, seeing what a trick they could come on our tariff and how cheaply they could produce if they were only off the gold standard, did it as a trick to get in under us, to circumvent our tariffs; that it was just a device of theirs, a trick of theirs, to do us.

Mr. Ogden Mills gives no support to that. Of course, that trick theory is too ridiculous to discuss. The British people dislike very much the abandonment of their historic and ancient standards. They would go back to stabilized currency any moment that they could. They can not go now. They can not go back until world economic conditions are restored.

And yet the theory of this depreciated-currency legislation rests upon the belief that this is a trick that somebody else put over on us. If it is a trick and is a good trick, we ought to be doing it, and we ought to correct the blunder that we made in America in 1896 when we did not accept a trick currency that would have given us that preeminence in efficiency in the markets of the world.

We ought to revise our estimates of John Sherman and the Republican Party, that put us back on specie payments in 1879 when by staying off of them we could have had so much more prosperity, and power, and have pushed our way into other markets with so much success.

Gentlemen, this is a very serious time in the history of the world. That is a time when we ought not be acting without frankness and soundness. And that is where I commend our great Secretary of the Treasury. You may search his speeches and his public utterances in vain for any of the theories behind this fundamental depreciated-currency legislation. I respect and honor him for it, just as I do the Hollander whom I quoted who said this thing was part an illusion and part temporary and what was not temporary was an illusion and what was not an illusion was temporary.

The Tariff Commission has taken action on this widely proclaimed footwear matter that came out in the papers this morning. We are changing the rate of duty on footwear for reasons prescribed by the statutes and we are passing it out with even hand since it applies equally to Japan, which is off the gold standard, and to Czechoslovakia, which is on the gold standard. Under the terms of our law it is the difference in costs of production in the two countries beside our own which determine the decision.

I remember coming down here one night from Boston, with a very successful business man who said, "People are not cutting trees in Maine this year because Canada has gone off the gold standard. That is a question I know about. They are not cutting trees in Maine because Canada has gone off the gold standard."

I said, the Saturday Evening Post, selling 3,000,000 copies a week, used to print 256 pages to a copy and is now printing 78 pages. The difference between 78 and 256 pages on 3,000,000 copies a week accounts for a good many trees.

In other words, you may overexplain the situation. The great thing in this affair is the world depression. The small thing is whether the countries are on or off the gold standard.

As far as this temporary measure is concerned, the new Hawley bill facilitates and increases the Tariff Commission's power to weigh and act on these things.

I think it not unfair to say on the rubber-footwear matter—of course, they make that in Massachusetts where I have a friendly interest, although, of course, I could take no judicial cognizance of that; but I am pleased to see the Massachusetts manufacturers saved from a little competition—but I do not think the cutting off of Japanese and Czechoslovakian footwear is going to create such a boom in that industry in Massachusetts that the unemployed of the rest of the Union might make a trek there to take up the jobs.

In other words, the tariff relationship is very much smaller than most people suppose. I think I am disclosing no improper secret to you gentlemen, who are the makers of our laws, when I say that this conclusion that we sent down yesterday had a dissenting addendum attached to it by my friend, Mr. Page, who is here with us to-day. There was another member of the commission, a Republican, Doctor Coulter, who signed it on condition that we should put in a clause that at the end of one year we would look over the facts again. In other words, it was not so dead open and shut a matter that all my associates wanted to make the change, willy-nilly. And yet that is the greatest single article of trouble from Japan.

The great trouble with Japan is its enormous depression. There is a man in the Library of Congress named Victor S. Clark who has just returned from Japan and his story of conditions there is perfectly terrible. Their budget is not balanced, their international trade is in awful shape, their military expenses are so heavy.

Japan has always been a dangerous, a hard competitor. In the last century Gen. William F. Draper, of Massachusetts, a Member of this House of Representatives, afterwards ambassador to two or three European countries, made a trip to Japan and came home with the belief that we, the American people, must have an embargo on manufactured products from Japan, that Japan has such great imitative faculties, such low-priced labor, that we must shut out Japanese products just as we do the Japanese people under our immigration laws.

That was the conclusion that Mr. Draper reached in the last century. Whether Japan was at that time on or off its gold standard, whether its yardstick was 18 or 36 inches, I do not know; whether its clinical thermometer was graded for 105 degrees for fever, or 98, I do not know; nor is it very important that I should know. The important thing is that Japan was and is and remains, because of the character of their people, industrious, hard-working, vegetarian-living people—a very serious competitor.

If they should go onto the gold standard to-morrow, it would not end the seriousness of their competition any more than their going off the gold standard started the seriousness of their competition.

These seem to me fundamentals that I hope this honorable committee in the consideration of legislation will bear in mind. The

seriousness of this thing lies in its relation to the maintenance of the gold standard. That is the sheet anchor of economic soundness in the world.

See Ogden Mills's speech at Columbia University in which, in five columns on the evils of the world and the things that should be done to straighten out existing disorders, there is no mention of legislation against depreciated-currency countries. I do not even see Mr. Mills here to-day urging any of these bills.

I doubt if any of the Republican Members would testify that they were urged to go into this thing—to go into what we will call the original Hawley bill—and the Hill bill by the request of our great Secretary of the Treasury. That is extremely significant.

Now, I see that one of the Senators from South Carolina has introduced a bill deliberately to take the United States off the gold standard. I think it would be a calamity inexpressibly great and needless to do that.

But, gentlemen, you are going to vote on the 13th of February on whether you think that would be a good thing. Anyone that votes for the unadorned Hawley bill or the unadorned Hill bill is expressing his belief in the superior competitive efficiency of countries off the gold standard, from which there can be but one logical conclusion. It is inescapable that if the countries off the gold standard are so much more efficient competitively than we are, we ought to derive that advantage ourselves by going off the gold standard, but I do not believe that. I do not want to see that done.

Of course, the test of this thing is the price. When things are sold cheaply, those people become dangerous competitors. We can all ask this question: Are things cheaper measured in human sacrifice, in effort, in the realities? Are things cheaper in countries that have gone off the gold standard?

They are cheaper in this great period of distress everywhere, and it does not seem to make a great deal of difference whether the country has or has not gone off the gold standard. The panic, the depression that we are in, is greatly accentuated. We have had a perfectly tremendous drop in prices.

Take the products of the Iowa farm lands. If one were to look at the proceeds in the value of agricultural products in America now and in 1929 or earlier, he would see a perfectly tremendous drop. That is not because the United States has gone off the gold standard. If any country were buying these things of us, they would get them very cheap. That is not because we have gone off the gold standard. A country that had gone off the gold standard would also be selling cheaply, too. It is, perhaps, fair to say that the countries that are off the gold standard are in the worse economic plight. I rather think that is more or less true, and that might be a factor of some weight.

When I first went to France a franc was worth 19 cents. To-day it is worth a little under 4 cents. The same 10 francs to-day do not buy—40 cents—the same dinner that \$1.90 bought before.

According to the theory of this bill, it should buy just the same. This whole affair is an illustration of the power of propaganda. For instance, I have received advertisements from a tailor who says, "Since England has gone off the gold standard, cloth is so much cheaper, you can get a suit now for so many dollars that you used to have to pay so many dollars for." One very good friend of mine writes me a letter "Isn't this proof that depreciated currency is doing what this bill seeks to correct?"

It is only proof that the tailor thinks that is a good thing to advertise; a good thing to talk about. Now, I have the greatest respect for tailors and for their sales methods, but I should not think a national policy should be based upon the talking points of a tailor's advertisement.

What the world needs now is the healing effects of improved international relations rather than the destructive effects of further antagonistic activities. We ought to act as sanely as we can and as calmly and as rationally as we can. That is what the world needs.

In this period of great upset, many people are doing different things with their commodities from what they ever did before.

The Brazilians are pumping coffee out into the harbor and are using it for locomotives, I understand.

In Nebraska they are using corn for fuel. All of which are abnormalities, not because Nebraska has gone off the gold standard but because of the abnormality of this world situation. It ought to be handled in a way that will restore normal thinking or normal reasonableness rather than jumping in the opposite direction.

There are very few countries in the world to whom we do not sell more than we buy from.

As to Great Britain, the balance is very heavy. Even as to Japan, which has been the source of all this discussion, according to the last figures prepared by the Department of Commerce and issued by the National Chamber of Commerce, the difference was very slight; I think it was \$199,000,000 one way and \$195,000,000 the other way. It is true that they would like to sell to us more than they do.

The balance of world trade has been so adverse to Great Britain for a number of years that she could not make the payment of her exchanges in gold, and was forced off the gold standard; and

once being forced off, her money fluctuates just as ours did when we went off the gold standard. In the Confederate War, it took \$2.80 in our money to buy a dollar in gold; and, as I say, in my boyhood it had got down to \$1.14. It all depends upon the likelihood of countries balancing trade. Trade balance has a great deal to do with it—the balance of trade in both directions, and the ratio of the National Budget. England was very badly behind in making ends meet, as a government, just as Japan is, in a very much more extreme degree to-day, and we have something to show in the way of a deficit ourselves. Our Budget is not altogether in very good shape, and so on; but it is a very delicate thing, this world standard, and I wish to correct and make clear my relations to Ogden Mills. He does not know me by sight. I have hardly ever spoken to him in my life. I have no right, license, or authority to quote him. What he said in a paper, however, I think I have a right to read. I have read him throughout the entire campaign. I do not believe there is a speech he has made in the last two years I have not read. All I have said was, that a man, having five columns in which to address himself to the economic evils of our times, if this Crowther bill would have been a correction of the evils of the time, I should have thought he would have included it. I still think so. There used to be an old saying, about somebody being conspicuous by his absence. I think the most conspicuous thing in this whole discussion here is the absence of Ogden Mills.

I will say, however, that the whole depreciated-currency thing itself is a tremendous factor in politics. It has been the greatest exhibit that I have ever seen of the power of propaganda. I remember when anybody who did not believe chopping off Belgium babies' hands was the chief enjoyment of the German soldier was regarded as pro-German. I was one of those who labored under the stigma of being pro-German because I did not believe all of the crazy things that propagandists of that period passed out. Had I been living in Salem, Mass., I hope I should not have joined in the destruction of the witches. It is very easy to see how it happened. Everybody tells everybody else, all the people who have a selfish interest, and want the tariff increased, if they all talk on one side, and they get the papers and the organs of opinion all in a state of mind where they tell everybody else that this is a good thing. Then you see what happens. There are those who for selfish interest say, "We want an increase of tariff. We have talked the old arguments a long time, and we want something new. Let us talk about depreciated currency."

In that respect, the prices in the countries that have gone off the gold standard—back in England a pound to-day will buy what the pound bought before. In other words, \$3.30 will buy what \$4.86 bought before England went off the gold standard.

In Vermont to-day \$3.30 will buy what \$4.86 bought two years ago. In France to-day the same. The world-wide depression in prices is the big thing, and the thing we should not lose sight of. The only thing, Mr. Hill, that I can't agree with you on, and I say this with profound respect and regret, is when you speak, as you steadily do, of concrete benefits and advantages in being off the gold standard. If that be true, I want to undo my whole background. I am angry with John Sherman, Secretary of the Treasury, for having put us back on the gold standard when we, back in the seventies, according to your theory, had the "advantage" of being off the gold standard, and of producing things more cheaply. John Sherman, of the Republican Party, got us back on the gold standard. Should they be blamed for that? Should I be blamed for voting against Bryan in 1896?

If one believes in this legislation, we ought to get off the gold standard as quickly as we can. I don't see how one can escape from that, when people refer to the countries off the gold standard as having great advantages, and speak of the benefits they have. Everybody that wants this legislation speaks about the benefits the other countries have. If it is a benefit, can't I have it? Can't we as Americans have it? If it is an advantage to be off the gold standard, we could have got it in 1896. We did have it in the seventies, but through the possible blundering of John Sherman we got out of it. He "blundered" us onto the gold standard and so deprived us of the low prices we are trying to effect equalizations for now.

It is our duty to do it if the theory behind these bills is correct. If it is an advantage to have a small yardstick, we ought to get off. If Massachusetts made 24 inches a yard, and textile manufacturers derived such enormous profits by it that all the other States around there put up tariffs against Massachusetts's cloth because they were making it so much more cheaply, they would wisely go to the 24-inch yard themselves. My theory is that it doesn't make any difference what they use, that that thing adjusts itself, as it has in all human history, as it did in France between the 19-cent franc and the 4-cent franc, as it did in Germany with the mark, the Italian lira. The Italian lira has been established at 5 cents. It used to be 25 cents. American manufacturers who have products coming in from Italy want the Italian stuff to go up because the Italians are producing so cheaply there. They tell exactly the same story.

I think the value of the committee system is to get specialized judgment and specialized information; and if I were a member of this honorable body, which I never expect to be, I would never vote to discharge any committee from its investigation and the

performance of its duty. I should think the 21 members of this committee would be a great deal better able to decide on this thing than the total membership of the House or a referendum of the State of Massachusetts, or anything else. I think this committee ought to be allowed to lead; and I think this committee, under the leadership of our great Secretary of the Treasury, would undoubtedly work out a plan that would be helpful and beneficial; and if I were a Member of Congress, I would act under that leadership.

INVESTIGATION BY TARIFF COMMISSION—CALF AND KIP UPPER LEATHER

Mr. COPELAND. Mr. President, I have a resolution on the desk, being Senate Resolution 335. I should like to have action upon it.

The PRESIDING OFFICER (Mr. Fess in the chair). The clerk will report the resolution referred to by the Senator from New York, coming over from a previous day.

The Chief Clerk read the resolution (S. Res. 335) submitted by Mr. COPELAND on January 18, 1933, as follows:

Resolved, That the United States Tariff Commission is hereby directed to investigate, for the purposes of section 336 of the tariff act of 1930, the difference in the cost of production between the domestic article and the foreign article, and to report at the earliest date practicable upon calf and kip upper leather.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

SALE AND ENCUMBRANCE OF KICKAPOO LANDS

Mr. THOMAS of Oklahoma. Mr. President, there is now on the Vice President's desk a message from the House of Representatives transmitting an amendment of the House to Senate bill 4439. I ask the Chair to lay the amendment before the Senate.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 4339) repealing certain provisions of the act of June 21, 1906, as amended, relating to the sale and encumbrance of lands of Kickapoo and affiliated Indians of Oklahoma, which was, on page 2, to strike out lines 1 to 8, inclusive, and insert:

SEC. 2. All restrictions upon said lands, which were removed by operation of said act are hereby reimposed for a period of 10 years from the date of the approval of this act on all of such lands as are still held or owned by the Indians: *Provided, however*, That valid encumbrances now resting against any of said lands shall not in any manner be affected by the provisions of this act, but any of such lands so encumbered, if still owned by the Indians, shall, when such encumbrances have been removed, become subject to the provisions of this act as fully and to the same extent as if such lands were now unencumbered: *Provided further*, That the President may, in his discretion, in accordance with existing law, further extend the period of restriction herein provided for.

Mr. THOMAS of Oklahoma. I move that the Senate concur in the House amendment.

The motion was agreed to.

LABOR CONDITIONS IN FLOOD-CONTROL AREAS

Mr. WAGNER. Mr. President, I should like to make an inquiry of the junior Senator from Delaware [Mr. TOWNSEND].

The PRESIDING OFFICER. Does it relate to some matter now before the Senate?

Mr. WAGNER. It relates to a resolution pending before the Committee to Audit and Control the Contingent Expenses of the Senate. About a month ago the Committee on Commerce reported with a favorable recommendation a resolution, which had been submitted by me, providing for an investigation of labor conditions in the flood-control areas, the resolution having been presented as the result of charges made by some very responsible organizations in this country as to the exploitation of labor in those sections.

The resolution provided for an appropriation, and, therefore, went to the Committee to Audit and Control the Contingent Expenses of the Senate about a month ago. I understand that that committee has taken upon itself the duty of determining the merits of the resolution, with which, as I understand the law and the rules, it is not concerned. I make this public statement because for three weeks at

least I have pleaded with the chairman of the committee to hold a meeting and determine the amount which the committee might think proper as the expense to be incurred in the investigation. I am not so much interested in that as I am in securing some action by the Senate, and thus far there has been no action taken by the Committee to Audit and Control the Contingent Expenses. I think there ought to be an explanation of the delay.

Mr. TOWNSEND. Mr. President, I will say to the Senator from New York that there is no intention on the part of the committee to hold up the resolution to which he has referred. The committee will hold a meeting at 1.30 o'clock p. m. to-day, at which the resolution will be considered and a report ordered.

Mr. WAGNER. I thank the Senator.

IDA E. GODFREY

The PRESIDING OFFICER. Morning business is closed. The clerk will state the first bill on the calendar in order under the unanimous-consent agreement.

Mr. KEAN. I ask unanimous consent that the Senate return to Calendar No. 1134, being House bill 3033. I understand that the Senator from Utah [Mr. KING], who objected to the bill yesterday, will withdraw his objection.

The PRESIDING OFFICER. The Senator from New Jersey asks unanimous consent to return to Calendar No. 1134, being House bill 3033. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 3033) for the relief of Ida E. Godfrey and others, which was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ida E. Godfrey, of Cookstown, N. J., the sum of \$750; to the estate of Annie L. Davis, of Wrightstown, N. J., the sum of \$500; to Thomas N. Emley, of Cookstown, N. J., the sum of \$750, damages by fire on June 11, 1921, to certain cranberry bogs adjacent to the rifle range at Camp Dix, N. J.: *Provided*, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney, or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

Mr. KING. Mr. President, I objected to the consideration of that bill yesterday. I had examined the report, and I found that the then Secretary of War, Mr. Weeks, had reported adversely on the bill. I do not object to its consideration now; but I shall vote against the bill, and, from the facts presented by the report, I confess that I do not see any merit in it.

The Senate proceeded to consider the bill, which was ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 5125) to provide for cooperation by the Federal Government with the several States in relieving the hardship and suffering caused by unemployment, and for other purposes, was announced as next in order.

Mr. McNARY. Mr. President, at the request of the Senator from Wisconsin [Mr. LA FOLLETTE] and other Members interested in this legislation, I ask that it be passed over without prejudice.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

The bill (H. R. 13742) to provide revenue by the taxation of certain nonintoxicating liquor, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. This bill will be passed over.

DES MOINES RIVER BRIDGE, ST. FRANCISVILLE, MO.

The bill (H. R. 9385) authorizing Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, to construct, main-

tain, and operate a bridge across the Des Moines River at or near St. Francisville, Mo., was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, be, and are hereby, authorized to construct, maintain and operate a bridge and approaches thereto across the Des Moines River, at a point suitable to the interests of navigation, at or near St. Francisville, Mo., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Missouri, the State of Iowa, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of five years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 6. The said Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, shall, within 90 days after the completion of such bridge, file with the Secretary of War and with the highway departments of the States of Missouri and Iowa, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reason-

able costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

PACIFIC GAS & ELECTRIC CO.

The bill (S. 5539) authorizing the Secretary of the Navy to grant a perpetual easement of 15 feet in width to Pacific Gas & Electric Co., a California utility corporation, over, across, in, and upon the site of the lighter-than-air base, near Sunnyvale, in the county of Santa Clara, in the State of California, for an existing 20-inch gas main was announced as next in order.

Mr. McKELLAR. Mr. President, will the Senator from California explain the bill?

Mr. SHORTRIDGE. Mr. President, the only purpose of the bill is to authorize the Secretary of the Navy to grant an easement to the Pacific Gas & Electric Co. to continue to maintain a 20-inch gas-pipe main under the Sunnyvale lighter-than-air base at Sunnyvale, in Santa Clara County, Calif.

Mr. McKELLAR. I see that the bill is approved by the Secretary of the Navy, so I have no objection to it.

Mr. SHORTRIDGE. There is a committee amendment, very wisely suggested by the Senator from Florida [Mr. TRAMMELL], which should be considered first.

The Senate proceeded to consider the bill, which had been reported from the Committee on Naval Affairs with an amendment, on page 1, line 5, after the word "Government," to insert "and subject to reversion to the United States in the event of abandonment or nonuser by the grantee for the purpose herein specified," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized and empowered to grant, under such terms and conditions as will best conserve the interests of the Government, and subject to reversion to the United States in the event of abandonment or nonuser by the grantee for the purpose herein specified, a perpetual easement to Pacific Gas & Electric Co., a California utility corporation, over, across, in, and upon the site of the lighter-than-air base, near Sunnyvale, in the county of Santa Clara, in the State of California, for the maintenance and operation by said company of an existing 20-inch gas main: *Provided,* That the Secretary of the Navy shall include in his annual report to the President a full and complete statement respecting such easement, when granted, which statement shall also include the name and address of the grantee, the extent and purpose of the grant, and the benefits accruing to the United States or to the public therefrom.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill authorizing the Secretary of the Navy to grant a perpetual easement to Pacific Gas & Electric Co., a California utility corporation, over, across, in, and upon the site of the lighter-than-air base, near Sunnyvale, in the county of Santa Clara, in the State of California, for an existing 20-inch gas main."

BILLS PASSED OVER

The bill (S. 5555) to authorize an exchange of lands between the city of San Diego and the United States was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. SHORTRIDGE. Mr. President, will the Senator from Utah please give me his attention?

The PRESIDING OFFICER. Does the Senator from Utah object to the consideration of this bill?

Mr. KING. I object to it, Mr. President. I will say to the Senator that I think the whole plan is unwise. I believe it

is an adventure that is not justified by past experience or warranted by the present condition of the Treasury.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 5498) to authorize an increase in the limit of cost of one aircraft carrier was announced as next in order.

Mr. McKELLAR. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

MICHAEL J. BUDZINSKI

The Senate proceeded to consider the bill (S. 5214) to correct the naval record of Michael J. Budzinski, which had been reported from the Committee on Naval Affairs with an amendment to strike out all after the enacting clause and to insert:

That in the administration of any laws conferring rights, benefits, and privileges upon persons honorably discharged from the United States Navy Michael J. Budzinski shall be held and considered to have been honorably discharged from the United States Navy on the 15th day of December, 1918: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Mr. REED. Mr. President, I suggest that the proviso should be amended in the form agreed upon yesterday.

The PRESIDING OFFICER. Without objection, the amendment suggested by the Senator from Pennsylvania to the amendment of the committee will be agreed to.

The amendment was, on page 2, line 4, after the word "*Provided*," to strike out "That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act," and to insert:

Provided, That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Michael J. Budzinski."

EXCHANGE OF LANDS WITH CITY OF SAN DIEGO

Mr. SHORTRIDGE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. SHORTRIDGE. Are we operating under the 5-minute rule?

The PRESIDING OFFICER. On unobjected bills.

Mr. SHORTRIDGE. Where some Senator, without knowledge of the bill, objects, may we reply to his observation?

The PRESIDING OFFICER. Not if any Senator calls for the regular order.

Mr. SHORTRIDGE. I propose, a little later on, to reply to the observations of the Senator from Utah with respect to this bill.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KING. A moment ago I interposed an objection, as I supposed, to Order of Business No. 1219, Senate bill 5498. I have no objection to Order of Business No. 1218, Senate bill 5555.

Mr. McKELLAR. Mr. President, I objected to that bill.

Mr. SHORTRIDGE. May I ask the always courteous and generous Senator from Tennessee not to object to it? It is approved by all the departments and unanimously approved by the committee. The Government received some two hundred and forty-odd acres of land which the Navy wants.

Mr. McKELLAR. The Senator has a different bill from the one to which I objected. I objected to Order of Business No. 1219, Senate bill 5498, the authorization of a \$19,000,000 aircraft carrier. I have no objection to Order of Business No. 1218.

The PRESIDING OFFICER. Is there objection to returning to Order of Business No. 1218? The Chair hears none.

The Senate proceeded to consider the bill (S. 5555) to authorize an exchange of lands between the city of San Diego and the United States, which was ordered to be

engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to transfer to the city of San Diego, Calif., free from all encumbrances and without cost to said city of San Diego, all right, title, and interest of the United States in and to the lands contained within that part of the Marine Corps Base, San Diego, Calif., described as follows: Beginning at a point on the United States bulkhead line as established in February, 1912, distant 300 feet northwesterly from station No. 104 on said bulkhead line; thence north 7° east a distance of 2,160 feet; thence north 60° 34' 59" west to an intersection with the prolongation of the northwesterly line of Bean Street; thence southwesterly along the prolongation of the northwesterly line of Bean Street to an intersection with the United States bulkhead line, as established in February, 1912; thence south 83° east along said bulkhead line to the point of beginning, in consideration of the transfer to the United States by said city of San Diego, free from all encumbrances and without cost to the United States, of all right, title, and interest in and to the lands contained within the following-described area: Beginning at the intersection of the prolongation of the northwesterly line of Bean Street with the United States bulkhead line as established in February, 1912; thence southwesterly along the prolongation of the northwesterly line of Bean Street to the pierhead line as the same has been or may hereafter be established by the United States; thence northwesterly and southwesterly along the said pierhead line to its intersection with the prolongation of the northeasterly line of Lowell Street; thence northwesterly along the prolongation of the northeasterly line of Lowell Street to the United States bulkhead line as established in February, 1912; thence northeasterly, easterly, and southeasterly along the United States bulkhead line as established in February, 1912, to the point of beginning; and also all of block 16, municipal tidelands subdivision, tract No. 1.

LIMIT OF COST OF AIRCRAFT CARRIER

Mr. SHORTRIDGE. Now, Mr. President, as to Order of Business 1219, Senate bill 5498, that does not call for any appropriation.

Mr. McKELLAR. But it is an authorization of \$21,000,000.

Mr. SHORTRIDGE. Unhappily we have a Navy, and other nations have; and the present appropriation for this particular aircraft carrier is \$19,000,000. I say "unhappily," but it has become necessary, according to the Navy Department, to increase that appropriation by \$2,000,000. I hope the Senator at least will permit this bill to go through.

The PRESIDING OFFICER. Does the Senator from Tennessee withdraw his opposition?

Mr. McKELLAR. Mr. President, I am sorry, but I can not do so.

Mr. SHORTRIDGE. Very well.

The PRESIDING OFFICER. The bill will be passed over.

COLUMBIA RIVER BRIDGE, THE DALLES, OREG.

The bill (S. 5502) to extend the times for commencing and completing the construction of a bridge across the Columbia River at or near The Dalles, Oreg., was announced as next in order.

The PRESIDING OFFICER. According to the calendar, this bill is similar to Order of Business 1257, H. R. 14060.

Mr. McNARY. Mr. President, I ask to have the House bill substituted for the Senate bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Senate proceeded to consider the bill (H. R. 14060) to extend the times for commencing and completing the construction of a bridge across the Columbia River at or near The Dalles, Oreg., which was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Columbia River at or near The Dalles, Oreg., authorized to be built by Dalles City by an act of Congress approved February 20, 1931, heretofore extended by act of Congress approved February 11, 1932, are hereby further extended one and three years, respectively, from February 20, 1933.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The PRESIDING OFFICER. Without objection, Senate bill 5502 will be indefinitely postponed.

BILL PASSED OVER

The bill (S. 5035) amending the shipping act, 1916, as amended, for the purpose of further regulating common carriers by water, was announced as next in order.

Mr. McKELLAR. Mr. President, will the Senator from California be good enough to explain that bill?

Mr. JOHNSON. Mr. President, in justice to the views of the Senator from Michigan [Mr. VANDENBERG], I call his attention to the bill that is now before the Senate.

Mr. VANDENBERG. Mr. President, I thank the Senator. I think the bill should go over. It is a matter of major importance.

The PRESIDING OFFICER. The bill will be passed over.

FLOOD-CONTROL WORKS, LOWELL CREEK, SEWARD, ALASKA

The bill (H. R. 6733) for estimates necessary for the proper maintenance of the flood-control works at Lowell Creek, Seward, Alaska, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War is authorized to submit for the consideration of Congress such estimates as are, in his judgment, necessary for the proper maintenance of the flood-control works at Lowell Creek, Seward, Alaska, construction under authority contained in Public Resolution No. 52 (69th Cong.), approved February 9, 1927.

ELECTRIC LIGHT SYSTEM, MOLOKAI, HAWAII

The Senate proceeded to consider the bill (H. R. 311) to approve Act No. 268 of the session laws of 1931 of the Territory of Hawaii entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the island of Molokai," which was read, as follows:

Be it enacted, etc., The act No. 268 of the session laws of 1931 of the Territory of Hawaii, entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the islands of Molokai," passed by the Legislature of the Territory of Hawaii and approved by the Governor of the Territory of Hawaii on April 30, 1931, is hereby approved: *Provided*, That the authority in section 16 of said act for the amending or repeal of said act shall not be held to authorize such action by the Legislature of Hawaii except upon approval by Congress in accordance with the organic act: *Provided further*, That nothing herein shall be construed as an approval by Congress of the theory of establishing value on the actual cost of reproducing or replacing property as contained in section 18 of the said act.

Mr. McKELLAR. Mr. President, can we not have some explanation of this bill?

Mr. BINGHAM. Mr. President, may I say to the Senator that this bill is in the usual form. It is impossible for the Territory of Hawaii to give a franchise to any public-utility company without the permission of the Congress. The Territorial legislature has granted such a franchise, and it is necessary for the Congress to ratify the action of the legislature. It is not a monopoly, and is in the usual form granted to such companies. The island of Molokai at present is without any electric-light plant at all; and this bill grants the people of that island an opportunity to have a small company to give them electric light.

The bill was ordered to a third reading, read the third time, and passed.

PANAMA CANAL ZONE

The bill (H. R. 7503) to repeal the Executive order of November 23, 1909, making the enticing of laborers from the Isthmian Canal Commission or the Panama Railroad a misdemeanor was announced as next in order.

Mr. WALSH of Montana. Mr. President, this bill and the following 10 bills—11 all together—relate to the laws of the Panama Canal Zone. The bills come here from the Committee on Inter-oceanic Canals.

In 1928 Congress passed an act providing for the revision and codification of the laws applicable to the Canal Zone. Pursuant to that act a skilled codifier, an employee of the West Publishing Co., experienced in work of that character, as most Senators know, was employed to effect the revision and codification. He brought to his aid a judge of the Canal Zone, Judge Lennon—a man of very high character and reputation—as well as the district attorney, and they did the work of revision and codification. The Governor of the Canal Zone then called to his aid an advisory body consisting of 9 members—3 lawyers and 6 laymen. The bar of the Canal Zone also reviewed the work, and it has the approval

of all of those, and likewise had the study of the Committee on Inter-oceanic Canals. The bills should be passed.

The PRESIDING OFFICER. Is there objection to the present consideration of the pending bill?

There being no objection, the Senate proceeded to consider the bill, which was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Executive order of November 23, 1909, making the enticing of laborers from the Isthmian Canal Commission or the Panama Railroad a misdemeanor, be, and it is hereby, repealed.

The bill (H. R. 7506) to repeal an ordinance enacted by the Isthmian Canal Commission August 5, 1911, and approved by the Secretary of War August 22, 1911, establishing market regulations for the Canal Zone, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the ordinance enacted by the Isthmian Canal Commission on August 5, 1911, and approved by the Secretary of War on August 22, 1911, establishing market regulations for the Canal Zone be, and it is hereby, repealed.

The bill (H. R. 7508) to provide for the inspection of vessels navigating Canal Zone waters was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That all vessels navigating the waters of the Canal Zone, except public vessels of all nations, and private vessels merely transiting the canal, shall be subject to an annual inspection of hulls, boilers, machinery, equipment, and passenger accommodations; and the governor is hereby authorized to prescribe regulations concerning such inspection, provided that such regulations shall, as nearly as practicable, conform to the laws and regulations governing the Steamboat Inspection Service of the United States.

SEC. 2. A foreign vessel of a country which has inspection laws approximating those of the United States, having an unexpired certificate of inspection duly issued by the authorities of the said country, shall not be subjected to an inspection other than that necessary to determine if the vessel, boilers, and life-saving equipment are as stated in the certificate of inspection; but no such certificate of inspection shall be accepted as evidence of lawful inspection unless like privileges are granted to vessels of the United States under the laws of the country to which such vessel belongs.

SEC. 3. When the board of local inspectors of the Panama Canal approves a vessel and its equipment, a certificate of inspection, in triplicate, will be issued by the canal authorities, two copies of which shall be displayed in conspicuous places in the vessel where they are most likely to be observed by passengers and others, and there kept at all times framed under glass.

SEC. 4. Should the board of local inspectors not approve the vessel or its equipment, a certificate of inspection will be refused, and the board of local inspectors will make a statement in writing giving the reasons for failure to approve, filing such statement in the records of the board, and giving a copy thereof to the owner, agent, or master of the vessel.

SEC. 5. Any vessel, other than those excepted in section 1 of this act, that navigate the waters of the Canal Zone without having an unexpired certificate of inspection issued by the canal authorities or by the Steamboat Inspection Service of the United States, or an unexpired certificate accepted by the canal authorities under section 2 of this act, shall be subject to a fine not exceeding \$1,000; and whenever any passenger is received on board a vessel not having certified copies of the certificate of inspection placed and kept as required by section 3 of this act, or whenever passengers are received on board a vessel in excess of the number authorized by said certificate of inspection, such vessel shall be liable to a fine not exceeding \$100 for each passenger so received. Fines shall be recovered in the district court of the Canal Zone, and the amount so recovered shall be a lien upon such vessel, and it may be seized and sold to satisfy same, as well as the costs of the court proceedings.

SEC. 6. In case a vessel holding an unexpired certificate issued by the canal authorities shall change its condition as to hull, boilers, machinery, equipment, or accommodations for passengers in such manner as not to conform to the regulations under which such certificate was issued, the board of local inspectors is authorized to make an inspection and to recommend revocation of the certificate of inspection, and upon approval of such recommendation by the marine superintendent, or such other officer of the Panama Canal as may be designated by the governor, a notice of revocation will be issued to the owner, agent, or master of the vessel; and after such notice of revocation the navigating of Canal Zone waters by such vessel shall subject it to the penalty prescribed by section 5 of this act.

SEC. 7. Other than public vessels of the United States or of the Republic of Panama, small vessels propelled in whole or in part by machinery shall be required to be registered, certificated, and numbered, and to display the numbers assigned in a conspicuous

place in prescribed form. Such vessels shall not be operated except by an operator holding a license to operate, issued after examination by the board of local inspectors, and approval of such examination by the marine superintendent or such other officer of the Panama Canal as may be designated by the governor.

SEC. 8. Small vessels not propelled in whole or in part by machinery shall be registered and numbered, and when numbers have been assigned they shall be displayed in a conspicuous place in prescribed form.

SEC. 9. Vessels under 65 feet in length, before carrying passengers for hire in the Canal Zone waters, shall obtain a certificate from the Canal Zone authorities to engage in this business, and such certificate shall specify the number of passengers and life preservers and fire-fighting apparatus which the vessel must carry. Such vessels shall be subject to annual inspection, and the certificate referred to will be granted for one year only. Small vessels carrying passengers without having first obtained a certificate from the canal authorities, or carrying passengers in excess of the number authorized by such certificate, shall be liable to a fine of not exceeding \$100 for each passenger so carried.

The bill (H. R. 7514) in relation to the Canal Zone postal service was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the postal service of the Canal Zone shall be governed by such of the laws, rules, and regulations of the Postal Service of the United States as are not inapplicable to the conditions existing in the Canal Zone, and the Governor of the Panama Canal is authorized to establish new post offices or discontinue those already established, to provide such rules and regulations as are necessary for the operation of the service, to appoint the personnel thereof, and to prescribe the postage stamps and other stamped paper which shall be used in such service: *Provided, however,* That the expenses of operating the Canal Zone postal service shall be defrayed, so far as possible, from the revenue derived therefrom, the use of which for that purpose is hereby authorized.

SEC. 2. That deposit money orders issued in the Canal Zone in lieu of postal savings certificates in accordance with rules and regulations heretofore established by the President, or that may hereafter be established by him, shall bear interest at a rate not exceeding 3 per cent per annum.

SEC. 3. That the interest received from the Canal Zone money-order funds deposited in banks under Canal Zone regulations shall be available to pay the interest on deposit money orders authorized by the preceding section. Such interest, which shall form a part of the postal revenues, shall also be available to pay the losses which are chargeable to the Canal Zone postal service.

SEC. 4. That all other laws for the operation of the Canal Zone postal service, excepting section 43a of the Penal Code of the Canal Zone, are hereby repealed.

The bill (H. R. 7515) to provide for the establishment of a customs service in the Canal Zone, and other matters, was announced as next in order.

Mr. REED. Mr. President, I should like to inquire about that bill. Is it the purpose of this measure to give the Governor of the Panama Canal the right to prescribe a scale of duties?

Mr. WALSH of Montana. No. My recollection is that the bill merely provides for the enforcement of the duties.

Mr. REED. The first section provides:

That the Governor of the Panama Canal shall have control for customs purposes over all articles, including passengers' baggage, introduced into the Canal Zone, and he is authorized to establish rules and regulations governing the entry and importation of goods into said zone, the disposal of goods brought into the Canal Zone in violation of such regulations, and to alter and amend such rules and regulations from time to time.

I do not understand whether the customs are to be collected on a scale of rates fixed by the governor, or on the rates fixed by Congress.

Mr. WALSH of Montana. My understanding is that the act relates only to the provision for the collection of the customs prescribed by the act of Congress.

Mr. REED. Is it the Senator's understanding that the tariff act at present in force applies to the Canal Zone?

Mr. WALSH of Montana. I understood so.

Mr. KING. Mr. President, would not some amendment be required to make the matter certain—that "nothing herein shall be construed to modify or repeal existing revenue and tariff acts enacted by the Congress of the United States"?

Mr. WALSH of Montana. I have no objection whatever to that.

Mr. KING. In the interest of clarity, it would seem to me that something of that character ought to be added.

Mr. WALSH of Montana. Whatever the fact may be, Mr. President, this is merely an affirmation of a practice that has been observed there since we exercised authority over the Canal Zone.

Mr. ROBINSON of Arkansas. Mr. President, apparently the act does not give any authority to fix rates of duty. An examination of it discloses that it merely permits the regulations, and orders for their enforcement, with respect to merchandise and baggage coming into the Canal Zone.

Mr. KING. Mr. President, I shall not insist upon the proposed amendment. If there should be any controversy later, Congress could very quickly pass a joint resolution.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Governor of the Panama Canal shall have control for customs purposes over all articles, including passengers' baggage, introduced into the Canal Zone, and he is authorized to establish rules and regulations governing the entry and importation of goods into said zone, the disposal of goods brought into the Canal Zone in violation of such regulations, and to alter and amend such rules and regulations from time to time.

SEC. 2. That general powers of search, seizure, and arrest are hereby conferred upon customs officers in the Canal Zone, including deputy shipping commissioners and boarding officers when performing customs duties. In the exercise of these powers customs officers are authorized to enter any building, other than dwelling houses, to stop vessels and vehicles, and to search vessels, vehicles, and their contents; and to stop and search persons and any packages carried by them. Such right of entry, stopping, search, seizure, and arrest shall be exercised only when there are reasonable grounds for suspecting violations of the customs rules and regulations authorized hereunder or of the United States applicable in the Canal Zone.

SEC. 3. That it shall be unlawful to enter or import, or attempt to enter or import, any articles or merchandise into the Canal Zone until the entry or importation of such articles or merchandise has been approved by the proper officers of the Canal Zone, and that it shall further be unlawful to pass, or attempt to pass, any false, forged, or fraudulent invoice or bill or other paper, for the purpose of securing the entry or importation into the Canal Zone of any articles or merchandise in violation of the rules and regulations to be promulgated in pursuance of the authority contained in the first section of this act, and any article brought into or obtained in the Canal Zone in violation of such regulations may be seized and held, and, unless within a period of 30 days from the date of seizure such articles are entered in conformity to the rules and regulations to be promulgated by the governor, they may be confiscated and disposed of as provided in such rules and regulations. Any person violating the provisions of this section or any of the rules and regulations authorized hereunder, shall, upon conviction, be punished by a fine not exceeding \$100, or by imprisonment in jail not exceeding 90 days, or by both such fine and imprisonment.

SEC. 4. That if any vessel arriving at the Canal Zone from any port, other than a port in the Canal Zone or the Republic of Panama, is found to have on board merchandise not manifested, the master of such vessel shall be liable to a penalty equal in amount to the value of the merchandise not manifested, and all such merchandise belonging to or consigned to or for the officers or crew of the vessel shall be forfeited: *Provided, however,* That such penalty shall not be imposed if it is made to appear to the customs officers, or to the court in which the trial is held, that no part of the cargo has been unloaded, except as accounted for in the master's report, and that the errors and omissions in the manifest were made without fraud or collusion; and in such case the master may be allowed to correct his manifest by means of post entry. A permit shall not be granted to unload any such merchandise so omitted from the manifest before post entry or addition to report of manifest has been made.

SEC. 5. That if sea stores are found on board of a vessel from any port, other than a port in the Canal Zone or the Republic of Panama, which are not specified in the list furnished the boarding officer, or if a greater quantity of such articles is found than that specified in such list, or if any of such articles are landed without a permit being first obtained from the customs officer for that purpose, all of such articles omitted from the list or manifest, or so landed shall be seized and forfeited, and the master of the vessel shall be liable to a penalty treble the value of the articles so omitted or landed.

The Senate proceeded to consider the bill (H. R. 7518) to amend an act entitled "An act extending certain privileges of canal employees to other officials on the Canal Zone and authorizing the President to make rules and regulations affecting health, sanitation, quarantine, taxation, public roads, self-propelled vehicles, and police powers on

the Canal Zone, and for other purposes, including provision as to certain fees, money orders, and interest deposits," approved August 21, 1916, which had been reported from the Committee on Inter-oceanic Canals with an amendment, on page 2, line 5, to strike out "public health board" and to insert in lieu thereof "Board of Health," so as to read:

Be it enacted, etc., That section 1 of the act approved August 21, 1916 (ch. 371, 39 Stat. 527), is hereby amended to read as follows: "That, until otherwise provided by Congress, the President is authorized to make rules and regulations in matters of sanitation, health, and quarantine for the Canal Zone or to modify or change existing rules and regulations and those hereafter made from time to time: *Provided*, That the President, under such regulations as he may prescribe, may authorize the Board of Health of the Canal Zone to issue licenses to practice the healing art, which regulations shall include conditions under which such licenses shall be issued and include provisions for revocation for cause of licenses issued. Violations of any quarantine regulations provided for herein shall be punished by fine not to exceed \$500 or by imprisonment in jail not to exceed 90 days, or by both such fine and imprisonment, in the discretion of the court; and a violation of any sanitary or health regulation authorized hereunder shall be punished by a fine not to exceed \$25 or by imprisonment in jail not to exceed 30 days, or by both such fine and imprisonment, in the discretion of the court. Each day such violation may continue shall constitute a separate offense."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The Senate proceeded to consider the bill (H. R. 7519) to amend the Penal Code of the Canal Zone, which had been reported from the Committee on Inter-oceanic Canals with amendment.

The first amendment of the committee was, on page 26, to strike out lines 6 to 24, inclusive.

Mr. ROBINSON of Arkansas. Mr. President, this appears to be a revision of the Penal Code. It is therefore apparently a very important measure. Does the Senator from Montana wish to have the bill considered under the 5-minute rule?

Mr. WALSH of Montana. Mr. President, I am only able to say to the Senator from Arkansas that the legislation was prepared with the care to which I have heretofore alluded. The Committee on Inter-oceanic Canals went over the bill with some care; and while I could not undertake to say that a critical analysis of it was made, I feel certain that it is, on the whole, an advisable penal code.

Mr. KING. Mr. President, a number of complaints were made to me several years ago and, indeed, within the past year, of alleged arbitrary acts upon the part of officials of the Panama Canal Zone, not only executive officials but also judicial and administrative officials. Some complaints were made with regard to the method of enforcing the criminal statutes. I was wondering whether any hearings had been had by the committee and the matters to which I have referred taken up.

Mr. WALSH of Montana. Nothing of the kind was suggested. Another one of the bills provides a code of procedure in criminal cases.

Mr. ROBINSON of Arkansas. Apparently the bill as reported carries an amendment entitled "section 115," designed to prevent the changes contemplated by the revised code from being retroactive. I presume, of course, that amendment should be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 26.

The amendment was agreed to.

The next amendment of the committee was, on page 57, after line 16, to insert section 115, reading as follows:

SEC. 115. Nothing contained in this act shall apply to an offense committed prior to the time when this act takes effect. Such an offense shall be punished according to the provisions of law existing when it was committed in the same manner as if this act had not been passed.

The amendment was agreed to.

Mr. WALSH of Montana. Mr. President, there is an error in the printing of the bill. Page 53 as printed should take the place of page 56 in the printed bill, and page 56 of the printed bill should take the place of page 53.

The PRESIDING OFFICER. The clerk will be authorized, without objection, to make the correction. The question is on engrossing the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The Senate proceeded to consider the bill (H. R. 7520) to amend the Code of Criminal Procedure for the Canal Zone, which had been reported from the Committee on Inter-oceanic Canals with amendments.

The first amendment of the committee was, on page 36, line 24, after the word "against," to strike out the word "a" and insert the word "the"; on page 43, line 1, to insert a new side head "Sec. 219"; on page 62, at the end of the bill, to insert a new section, as follows:

SEC. 120. This act shall apply to criminal actions and proceedings from the time it takes effect except that all such actions and proceedings theretofore commenced shall be conducted in the same manner as if this act had not been passed.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The Senate proceeded to consider the bill (H. R. 7521) to provide a new Code of Civil Procedure for the Canal Zone and to repeal the existing Code of Civil Procedure, which had been reported from the Committee on Inter-oceanic Canals with amendments.

The first amendment of the committee was, on page 1, line 9, to insert the words "1st day of October, 1933."

The amendment was agreed to.

Mr. ROBINSON of Arkansas. This is quite a voluminous bill. I suppose it has been carefully worked out.

Mr. WALSH of Montana. I may say, with respect to the bill, that this Code of Civil Procedure is founded upon the Code of Civil Procedure of the State of California, which is the model of the codes of procedure of nearly all the Western States, including the State of Montana, with the code of which I have intimate familiarity, of course. An examination of this code will disclose that it is practically a reproduction of the California Code of Civil Procedure.

The next amendments of the committee were, on page 128, line 11, to strike out the word "actions" and insert in lieu thereof the word "action"; on page 191, line 24, to strike out the word "encumbrance" and insert in lieu thereof the word "encumbrance"; on page 233, line 13, to strike out the word "and" before the word "undertaking" and insert in lieu thereof the word "an"; on page 315, line 24, to transpose lines 24 and 25. Insert line 24 reading "ing, a trial by jury must be had, as in cases of the contest of" immediately after line 25; on page 334, line 17, to strike out entire line 17 and insert the words thereof reading "law, to the duties of executor or administrator, which oath must" immediately after line 14; on page 335, line 19, to strike out entire line 19 and insert the words thereof reading "chapters 23 to 36, the sureties must justify thereon in the" immediately after line 17; on page 378, line 21, to strike out the word "Orders" and insert in lieu thereof the word "Order"; on page 388, line 8, to strike out the word "Administrators" and insert in lieu thereof the word "Administrators"; on page 443, line 20, to strike out the word "defendant" and insert in lieu thereof the word "defendant"; on page 459, line 19, to strike out the word "that" and insert in lieu thereof the word "than"; and on page 485, line 13, to strike out the word "discharge" and insert in lieu thereof the word "discharge."

The amendments were agreed to.

Mr. BLAINE. Mr. President, I observe, from the expression on the face of the junior Senator from California [Mr. SHORTRIDGE] that in a way he regards this bill as a tribute to the State of California. I might suggest that, the bill being very voluminous, it leaves nothing to the imagination. Practically every detail of the civil code is written into this

code so that all opportunity for construction by applying the common law will be avoided.

Mr. SHORTRIDGE. Mr. President, permit me to say that in drafting the California Code we borrowed largely from the learning of Wisconsin.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The Senate proceeded to consider the bill (H. R. 7522) to provide a new Civil Code for the Canal Zone and to repeal the existing Civil Code, which had been reported from the Committee on Inter-oceanic Canals with amendments.

The first amendment of the committee was, on page 1, lines 9 and 10, to insert the words "1st day of October, 1933."

The amendment was agreed to.

Mr. WALSH of Montana. Mr. President, I ought to say, in this connection, that these changes in the law covered by the Code of Civil Procedure and by the Civil Code seemed to be necessitated and required by reason of the change of conditions in the Canal Zone. When it was originally taken over it was occupied by people of Spanish descent, and the laws, as well as the procedure, were such as those people were familiar with. All those people have been removed from the Canal Zone, and there are now there only those whose training has been in the other system of law, founded upon the common law of England, and that necessitates these changes.

The PRESIDING OFFICER. The clerk will state the next amendments.

The next amendments of the committee were, on page 101, line 6, to strike out the entire line reading "witness subscribed his name thereto as a witness" and insert same words immediately after line 13; on page 121, line 17, to strike out the word "or" at the end of the line and substitute therefor the word "of"; on page 147, line 6, to strike out the letter "s" from the word "assignees," so as to make it singular, "assignee"; on page 202, line 9, to strike out the word "requires" and substitute therefor the word "acquires"; on page 206, line 6, to strike out the word "it" between the words "if" and "at"; on page 368, to strike out lines 7 to 11, inclusive, constituting section 1167; on page 378, to strike out lines 7 to 11, inclusive, constituting section 1217 and cross reference; on page 378, to strike out lines 14 to 16, inclusive, and the numeral (2) in line 17.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The Senate proceeded to consider the bill (H. R. 7523) to amend sections 7, 8, and 9 of the Panama Canal act, as amended.

The bill was ordered to a third reading, read the third time, and passed.

UNEMPLOYED PERSONS AT MILITARY POSTS

The bill (S. 5363) to provide for the housing, feeding, and clothing of certain unemployed persons at military posts of the United States was announced as next in order.

Mr. SMOOT. Mr. President, that bill was reported adversely.

Mr. REED. Mr. President, in the absence of the Senator from Michigan [Mr. COUZENS], I ask that the bill may go over.

The PRESIDING OFFICER. The bill will be passed over.

DRAINAGE DISTRICT NO. 1, RICHARDSON COUNTY, NEBR.

The Senate proceeded to consider the bill (S. 4589) to authorize the Secretary of the Interior to make payment of part of the expenses incurred in securing improvements in drainage project of drainage district No. 1, Richardson County, Nebr., and for other purposes, which had been reported from the Committee on Indian Affairs, with amendments, on page 1, line 7, to strike out the words "out of any

money in the United States Treasury not otherwise appropriated" and to insert in lieu thereof the words "from funds now or hereafter on deposit to the credit of the individuals concerned," and on page 2, line 9, to strike out the proviso, as follows:

Provided further, That the amount paid on account of any allotment shall be reimbursable out of funds under the supervision of the Secretary of the Interior belonging to the respective allotment owners or out of the proceeds of the sale of such allotment.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior, with the consent of the Indians of the Sac and Fox Reservation, Nebr., whose lands shall be benefited by the project of drainage district No. 1, Richardson County, Nebr., is hereby authorized to pay, from funds now or hereafter on deposit to the credit of the individuals concerned, such Indians' pro rata share of the expenses incurred by landowners interested in such project in the prosecution of a suit in equity to require the said drainage district to enlarge the channel of its system, and to do all things necessary to accommodate the water accumulated therein and to prevent overflows thereof: *Provided,* That the amounts so paid on behalf of such Indians shall not exceed the rate of \$2 per acre for each acre of Indian land benefited nor a total of \$600.

SETTLERS ON FORT PECK INDIAN RESERVATION

The bill (S. 5433) for the relief of certain settlers on the Fort Peck Indian Reservation, in the State of Montana, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That any entryman on the Fort Peck Indian Reservation, or any of his successors or transferees, who is unable to make payment on his entry as required by law, may obtain an extension of time for such payment, including interest, until November 1, 1933, upon the payment of interest on the total amount involved at the rate of 5 per cent per annum, provided that he shows to the satisfaction of the commissioner of the General Land Office, by affidavit corroborated by the affidavits of at least two persons, the fact of and the reason for his inability to make the payment. Any such person, upon making payment of like interest and furnishing a like affidavit, may obtain an additional extension of one year, but no more, for the payment of any amount so expended.

Sec. 2. Upon failure of any person to make complete payment of the required amount within the period of any extension granted in accordance with the provisions of this act, the homestead entry of such person shall be canceled and the lands shall revert to the status of other tribal lands of the Fort Peck Indian Reservation.

JUAN APODACA

The bill (S. 4590) for the relief of Juan Apodaca was considered. The bill had been reported from the Committee on Military Affairs with amendments, on page 1, line 9, to strike out the word "of" and insert the word "on"; in lines 10 and 11, strike out the words "that no bounty, pension, pay, or other emoluments shall accrue prior to the passage of this act" and insert in lieu thereof:

That no compensation, retirement pay, back pay, pension, or other benefits shall be held to have accrued prior to the passage of this act.

So as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, or their dependents, Juan Apodaca, who was a private in the Medical Department, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of the Medical Department on the 11th day of April, 1919: *Provided,* That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. McDONALD

The bill (H. R. 4368) for the relief of George W. McDonald was considered. The bill had been reported from the Committee on Military Affairs with an amendment, on page 1, line 4, after the word "soldiers," to insert the words "and their widows," so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers and their widows, George W. McDonald, who was a member of Company C, Sixty-fifth Regiment Illinois Volunteer In-

fantry, mustered in on June 1, 1862, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 1st day of October, 1862: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I ask that the bill go over. The bill was reported on adversely from the department.

Mr. REED. Mr. President, that is because the bill as then submitted to the Secretary apparently required the issuance of honorable-discharge papers. The man McDonald was undoubtedly taken into the service in the regiment in Illinois. The regiment was moved to Harper's Ferry. The Confederates captured every man in the regiment and all the papers of the regiment, and consequently it is one regiment in the Civil War concerning which The Adjutant General is absolutely unable to furnish a list of the members of the different companies. If a man wanted a pension on plausible grounds he ought to have claimed to belong to the Sixty-fifth Illinois, because nobody can disprove it; but McDonald undoubtedly did belong to it.

McDonald was a drummer boy only 11 years old. He was captured with this regiment by the Confederates at Harpers Ferry. There are affidavits in the record from his companions who say they remember him at a fist fight with a Confederate drummer boy for the possession of his drumsticks. He surrendered his drum, but would not surrender his drumsticks. He had a fight with the Confederate drummer boy and won the fight and kept the drumsticks. That is proven by affidavits. There is no question that he was in the regiment.

During his lifetime he himself was given a pension by special act of Congress. Now he is dead and his widow applies for a widow's pension and can not get it because The Adjutant General states his records do not show that the boy was in the service for 90 days. They were married before 1905, I am sure, and yet the widow can not get any pension.

The boy was taken out of the service under habeas corpus proceedings instituted by his mother when the regiment got back to Illinois. In the Chicago fire all the records of the habeas corpus proceedings disappeared, so that between the Confederates and Mrs. O'Leary's cow there is no record whatsoever to show that this young man ever was in the Army 90 days. However, the affidavits show it beyond question.

I hope the Senator from Utah will withdraw his objection.

Mr. LEWIS. Mr. President, may I submit an inquiry to the able Senator from Pennsylvania? There is nothing against the young man's record even when he was in the service?

Mr. REED. No; nothing at all.

Mr. SMOOT. Very well.

There being no objection, the amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act for the relief of the widow of George W. McDonald."

LANDS FOR USE OF UNIVERSITY OF ARIZONA

Mr. ASHURST. From the Committee on Public Lands and Surveys I report back favorably without amendment the bill (S. 5361) to provide for the selection of certain lands in the State of Arizona for the use of the University of Arizona, and I submit a report (No. 1184) thereon. I call the attention of my colleague [Mr. HAYDEN] to the bill.

Mr. HAYDEN. Mr. President, I ask unanimous consent for the immediate consideration of the bill.

Mr. McNARY. Mr. President, may we have a brief statement of what the bill provides?

Mr. HAYDEN. It authorizes the transfer of some 2,000 acres not far from Tucson, Ariz., to the State of Arizona for the use of the State university. The area described is covered with a fine growth of giant cactus. The university authorities are most anxious to have the growth preserved. There has been a movement on foot to make this a national monument or national park. I think it is better to have it

maintained in the nature of a State park under the guardianship of the university.

Mr. McNARY. Is it to be used for experimental purposes by the State university?

Mr. HAYDEN. The primary purpose is to preserve the marvelous growth of cactus to which I have referred.

Mr. McNARY. Would not the Senator be satisfied to let it go over for the day? Several Senators wish to look at it. I shall not interfere further with its passage.

Mr. HAYDEN. Very well.

The PRESIDING OFFICER. The bill will be placed on the calendar.

CONVEYANCE OF LAND IN LOS ANGELES COUNTY, CALIF.

The bill (S. 5537) to convey certain land in the county of Los Angeles, State of California, was considered. The bill had been reported from the Committee on Military Affairs with amendments, on page 2, line 10, after the word "land," to insert the word "not"; in the same line, to strike out "any other" and insert "that"; and on page 3 to add a new section, as follows:

Sec. 2. That the amount received from the county of Los Angeles, State of California, for the land above described shall be deposited in the Treasury to the credit of the fund known as the military post construction fund, to be and remain available until expended for permanent construction at military posts in such amounts as may be authorized by law from time to time by the Congress.

So as to make the bill read:

Whereas on or about the 22d day of August, 1921, the county of Los Angeles, State of California, conveyed to the United States of America the hereinafter-described tract of land for the use of the War or Navy Departments; and

Whereas the county of Los Angeles, in the State of California, purchased said property for the purpose of making said conveyance at a total sum of \$148,655, of which amount the United States of America contributed \$55,655 and the county of Los Angeles contributed the sum of \$93,000; and

Whereas the United States of America has ceased to use said property, or any part thereof, for military, or naval, or other purposes, and the same is now and for some time has been idle: Therefore

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to convey to the county of Los Angeles the hereinafter-described land, exclusive of such structures thereon which may be designated by the Secretary of War for retention by the War Department with a view to their eventual removal from the premises, to be used for public park, playground, and recreation purposes only, on condition that should the land not be used for that purpose it shall revert to the United States: *Provided, however*, That the county of Los Angeles, State of California, pay to the United States of America the sum of \$55,655, the amount originally paid by the Government on the purchase price of said property, which property is particularly described as follows:

All those certain lots, pieces, or parcels of land, together with all buildings thereon, situate, lying, and being in the city of Arcadia, county of Los Angeles, and State of California, and particularly described as follows, to wit: Lot 4 of tract No. 949 as delineated upon the map of said tract recorded in book 17 of maps, at page 13, records of Los Angeles County, and lots 3, 4, 5, and 6 of tract No. 2409 as delineated upon the map of said tract, recorded in book 23 of maps, at page 23, records of Los Angeles County. The land intended to be conveyed by this deed is bounded on the north by Falling Leaf Avenue, on the east by Santa Anita Avenue, on the south by Huntington Drive and by land now owned by Clara Baldwin Stocker, and on the west by the rights of way of Pacific Electric Railroad Co. and Southern Pacific Railroad Co., and being all of the land claimed or owned by the grantor within the exterior bounds of Arcadia balloon field.

Sec. 2. That the amount received from the county of Los Angeles, State of California, for the land above described shall be deposited in the Treasury to the credit of the fund known as the military post construction fund, to be and remain available until expended for permanent construction at military posts in such amounts as may be authorized by law from time to time by the Congress.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

GASOLINE TAX IN DISTRICT OF COLUMBIA

The bill (H. R. 5823) to increase the motor-vehicle fuel tax in the District of Columbia and to provide for the better administration thereof was announced as next in order.

Mr. BINGHAM. Mr. President, I wish the Senator from Kansas [Mr. CAPPER] would explain the bill. I have been

informed that the present motor-vehicle fuel tax is more than sufficient to provide for repairs of roads, streets, and so forth. I do not understand why the additional tax is believed to be necessary.

Mr. CAPPER. Mr. President, the basis of taxation for the District of Columbia is broadened by this bill. At the present time the funds obtained from the existing gasoline tax are used exclusively for repair and improvement of streets and roads. Under the terms of this bill and in accordance with the recommendation of the District Commissioners, additional uses are provided for the gasoline tax. These additional uses for gasoline-tax funds include park-road improvement and repair; the construction, maintenance, and repair of bridges; expenses of the department of vehicles and traffic; salaries of street and bridge division employees in the highway department; salaries of police officers assigned to the traffic bureau and salaries of crossing policemen.

The commissioners are very strongly of the opinion that the District must obtain additional sources of revenue. The gasoline tax in the District of Columbia is below that of nearly every State in the Union. There are only four States of the 48 that have a 2-cent tax, as is still in force in the District of Columbia. The State of Virginia, adjoining the District, has a tax of 5 cents; the State of Maryland, 4 cents; and the State of Pennsylvania, 3 cents. The receipts from the real-estate taxes are likely to fall off very materially. Receipts from the sale of properties for delinquent taxes already have fallen off very seriously. The District Commissioners and the District tax assessor believe it imperative and urgent that we should undertake to develop new sources of revenue for the District.

Mr. WALSH of Massachusetts. Mr. President, I hope the Senator from Connecticut will not object. This is a reasonable tax. I believe every State in the Union has a higher rate than that existing in the District of Columbia.

Mr. CAPPER. All but four.

Mr. BINGHAM. The State of Connecticut has a 2-cent tax and uses the money solely for the roads.

Mr. KEAN. Mr. President, I should like to say in regard to this matter that the tax on automobiles in the city of Washington is perfectly absurd. It is only \$1 per year. It does not make any difference how much an automobile weighs, the tax is only \$1. The consequence is that the value of automobiles has gone down so far that Washington is filled with old secondhand automobiles from which the city receives practically no tax. This is the only source from which the District might recover some funds for use on the roads and streets.

Mr. ODDIE. Mr. President, I will ask that the bill go over for the present. I should like to have an opportunity to look it over before action is taken on it.

The PRESIDING OFFICER. On objection, the bill will be passed over.

CHESAPEAKE BAY BRIDGE, MARYLAND

The bill (S. 5503) authorizing the Chesapeake Bay Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Chesapeake Bay from a point in Baltimore County to a point in Kent County, in the State of Maryland, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the Postal Service, and provide for military and other purposes, the Chesapeake Bay Bridge Co., a corporation organized and existing under the laws of the State of Maryland, its successors and assigns, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Chesapeake Bay, at a point suitable to the interests of navigation, from a point in Baltimore County, Md., south of Back River, to Hart Island, to Miller Island, and thence to some point in Kent County, Md., between 39° and 12' and 39° and 13' and 30'' N. latitude, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act: *Provided*, That in the interests of national defense, and for the protection of life and property, the Secretary of War is hereby authorized and empowered, when, in his judgment, military necessity shall require it, to close said bridge to traffic at such time and during such periods as he may determine.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Maryland, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interests in real property necessary therefor, by purchase or condemnation or expropriation, in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of 30 years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by the State of Maryland, or by any municipality or other political subdivision or public agency thereof, under the provisions of section 2 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 30 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper repair, maintenance, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for operating, repairing, and maintaining the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. The said Chesapeake Bay Bridge Co., its successors and assigns, shall, within 90 days after the completion of such bridge, file with the Secretary of War and with the highway department of the State of Maryland a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion cost. The Secretary of War may, and at the request of the highway department of the State of Maryland shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Chesapeake Bay Bridge Co., its successors and assigns, shall make available all of its records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the reasonable cost of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 2 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the said Chesapeake Bay Bridge Co., its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

DELAWARE RIVER BRIDGE NEAR BUSHKILL, PA.

The bill (S. 5504) authorizing the Bushkill Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Delaware River at or near Bushkill, Pa., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Bushkill Bridge Co., its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Delaware River, at a point suitable to the interests of navigation, at or near Bushkill, Pa., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the Bushkill Bridge Co., its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use

real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said Bushkill Bridge Co., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Pennsylvania, the State of New Jersey, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of five years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this act, and if tolls are thereafter charged for the use thereof, the rate of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 6. The Bushkill Bridge Co., its successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War and with the Highway Departments of the States of Pennsylvania and New Jersey, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Bushkill Bridge Co., its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Bushkill Bridge Co., its successors and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

WAR DEPARTMENT APPROPRIATIONS

The bill (H. R. 14199) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1934, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. This being the unfinished business, the bill will be passed over until 2 o'clock.

FEDERAL GASOLINE TAX

The bill (H. R. 14416) to make the Federal gasoline tax effective until June 30, 1934, was announced as next in order.

Mr. SMOOT. Let that go over.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KING. Objection has been made to Calendar 1249, has it not?

The PRESIDING OFFICER. The bill went over on the objection of the Senator's colleague.

Mr. ODDIE. Mr. President, I introduced an amendment to this bill this morning that I should like to have considered at the proper time. This amendment is for the Federal-aid road appropriation for the years 1934 and 1935 as it passed the Senate on June 8, 1932, known as the Oddie bill (S. 36), which passed the Senate as an authorization.

Mr. SMOOT. That is the reason why I objected.

Mr. KEAN. It is a very important bill and it should be passed.

Mr. WALSH of Massachusetts. Mr. President, will not the Senator from Nevada ask that his amendment be printed at this juncture in the RECORD, so that we may know what it is?

Mr. ODDIE. Yes; I ask that that may be done.

The PRESIDING OFFICER. On objection the bill will be passed over, and without objection the amendment of the Senator from Nevada will be printed in the RECORD.

At the proper place in the bill to insert the following:

"That for the purpose of carrying out the provisions of the act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, and all acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following additional sums, to be expended according to the provisions of such act as amended: The sum of \$125,000,000 for the fiscal year ending June 30, 1934; the sum of \$125,000,000 for the fiscal year ending June 30, 1935: *Provided*, That in apportioning the foregoing sums among the several States and the Territory of Hawaii for said fiscal years deductions shall be made as reimbursement to the United States of the \$80,000,000 emergency advance funds apportioned to such States and the Territory of Hawaii and used in road work, such deductions to be made at the rate of \$16,000,000 each fiscal year, in accordance with the item 'Federal-aid highway system' of the act approved December 20, 1930 (46 Stat. 1031).

"SEC. 2. That for the purpose of carrying out the provisions of section 23 of the Federal highway act approved November 9, 1921, there is hereby authorized to be appropriated for forest roads and trails, out of any money in the Treasury not otherwise appropriated, the following additional sums, to be available until expended in accordance with the provisions of said section 23: The sum of \$12,500,000 for the fiscal year ending June 30, 1934; the sum of \$12,500,000 for the fiscal year ending June 30, 1935.

"SEC. 3. That for the purpose of carrying out the provisions of section 3 of the Federal highway act as amended June 24, 1930 (46 Stat. 805), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of roads through unappropriated or unreserved public lands, nontaxable Indian lands or other Federal reservations other than the forest reservations, the sum of \$3,000,000 for the fiscal year ending June 30, 1933, the sum of \$3,000,000 for the fiscal year ending June 30, 1934, the sum of \$3,000,000 for the fiscal year ending June 30, 1935, available until expended.

"SEC. 4. That for the purpose of carrying out the provisions of the act of April 9, 1924 (43 Stat. 90), entitled 'An act authorizing the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges in the national parks and monuments under the jurisdiction of the Department of the Interior,' as amended by the act of January 31, 1931 (46 Stat. 1053), and the act of March 4, 1931 (46 Stat. 1553), there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following additional sums, to be available until expended in accordance with the provisions of said acts: The sum of \$7,500,000 for the fiscal year ending June 30, 1934; the sum of \$7,500,000 for the fiscal year ending June 30, 1935; of which sums \$1,500,000 may be allocated each year, in the discretion of the Secretary of the Interior, for the construction, reconstruction, and improvement of approach roads to national parks and national monuments, inclusive of necessary bridges: *Provided*, That in lieu of the total cash appropriations herein authorized the Secretary of the Interior may approve projects, incur obligations, and enter into contracts for additional work each fiscal year not exceeding the difference between the amount of the unobligated appropriation for the particular fiscal year and the amount herein authorized for said fiscal year and his action in so doing shall be deemed a contractual obligation of the Fed-

eral Government for the payment of the cost thereof and appropriations hereafter made for the construction of roads in national parks and national monuments shall be considered available for the purpose of discharging the obligation so created.

"SEC. 5. In every case in which, in the judgment of the Secretary of Agriculture and the highway department of the State in question, it shall be practicable to plant and maintain shade trees along the highways authorized by the act of November 9, 1921, and by this act, the planting of such trees shall be included in the specifications provided in section 8 of said act of November 9, 1921, and the Federal highway act of November 9, 1921, is amended accordingly."

BILL PASSED OVER

The bill (S. 5530) to provide for placing the jurisdiction, custody, and control of the Washington City post office in the Secretary of the Treasury was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

PUBLIC-BUILDING PROJECTS—ORE AND MINERAL RIGHTS

The bill (S. 5588) authorizing the acceptance of title to sites for public-building projects, subject to the reservation of ore and mineral rights, was considered and was read.

Mr. WALSH of Massachusetts. Mr. President, the bill ought to be passed. Under the existing law the Federal Government can not hold property upon which there are any restrictions of any kind. The bill permits the Federal Government to make acceptance of properties, with a provision to reserve the ore or mineral rights to the people who have them. I do not think there can be any objection to the bill. It is recommended by the Post Office Department.

Mr. KING. Mr. President, it would merely mean that the Government could not get the fee title. It would mean that the Government can get the surface rights, as explained in the bill.

Mr. WALSH of Massachusetts. That is true.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That title to sites and additional land for the construction thereon of public-building projects authorized by the emergency relief and construction act of 1932 and subsequent acts may be acquired subject to the reservation of title in and the right to mine ores and minerals on such sites and land.

COLONIAL REALTY CO.

The Senate proceeded to consider the bill (S. 5382) providing for an exchange of lands between the Colonial Realty Co. and the United States, and for other purposes, which was read, as follows:

Be it enacted, etc., That upon execution and delivery by the Colonial Realty Co. of a deed conveying to the United States, title in fee, free of incumbrance, to approximately 1,420 acres of seeped and unproductive lands, as determined by the Secretary of the Interior, in sections 20, 21, 22, 25, 27, 28, 31, 32, 33, and 34, township 39 south, and section 3 of township 40 south, range 9 east, Willamette meridian, Oregon, Klamath project, or to such portion thereof as said company may elect so to convey, the said Secretary is hereby authorized and directed to issue a patent to the Colonial Realty Co., conveying to said company title to approximately an equivalent amount of public lands on the Tule Lake division of the Klamath project in Oregon-California to be selected and designated by said company from available lands in that division: *Provided,* That in order to avoid the expense of additional surveys, and since many of the tracts to be conveyed to the United States are designated as lots by public-land surveys and for this reason the subdivisions contain areas both less than and in excess of legal subdivision, the areas conveyed to the Government and the areas patented by the Government need be only approximately of the same acreage: *Provided further,* That should any legal subdivision of the lands herein described consist of more than 50 per cent of unproductive land the whole subdivision may, at the option of said company, be conveyed to the United States, with the right of exchange of an equivalent area as herein authorized.

SEC. 2. That all charges heretofore paid on account of construction and operation and maintenance on the unproductive lands to be conveyed to the United States shall be credited upon the unpaid construction and operation and maintenance charges payable on account of the productive lands, if any, of said Colonial Realty Co. situate within the boundaries of the Klamath irrigation district retained by said company. Should such credits be more than sufficient to pay all construction and operation and maintenance charges accrued and unpaid at the time of conveyance against the productive area retained by said company in the Klamath irrigation district, such excess credits shall be transferred to the irrigable lands in the Tule Lake division patented by the Secretary of the Interior to said company as herein authorized.

SEC. 3. The Klamath irrigation district, upon agreeing to the exchange of lands and transfer of credits herein authorized, shall be credited by the United States with all amounts heretofore paid by it on account of the construction and operation and maintenance charges assessed against unproductive lands in said district conveyed by the company to the United States under authority of this act, and the district shall be relieved of the payment to the United States of any further construction or operation and maintenance charges on account of the land so conveyed.

SEC. 4. The water-right charges payable by said company or its successor on the Tule Lake lands patented pursuant to this act shall be the same as those fixed for similar lands in that district and shall be subject to payment in the same manner, subject to the allowance of credits as herein authorized. Such credits shall be applied in reduction of the construction charge fixed for the Tule Lake division.

Mr. KING. Mr. President, will the Senator from Oregon make a brief explanation of the bill and state whether it relates to the Klamath Indian Reservation?

Mr. McNARY. No, Mr. President; it does not refer to that reservation. The Klamath irrigation district is located partly in Oregon and partly in northern California. The company referred to in the bill acquired several sections of land; but on account of the seepage of the Government ditch, it became waterlogged and useless. Consequently, in order to be fair and equitable to the purchaser, the bill simply provides that the Government shall exchange good land in the irrigation district for the waterlogged land which is useless and valueless. The bill has received the recommendation of the Secretary of the Interior and the Commissioner of Reclamation who has jurisdiction over the district.

Mr. KING. As I understand, it does not involve any Indian reservation?

Mr. McNARY. Oh, no.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MORRISTOWN NATIONAL HISTORICAL PARK, N. J.

The Senate proceeded to consider the bill (S. 5469) to provide for the creation of the Morristown National Historical Park in the State of New Jersey, and for other purposes.

Mr. KING. Mr. President, I stated the other day that from investigations I had made I thought there were entirely too many national parks. There seems to be a mania for putting under the control of the Federal Government every spot of scenic beauty and that has some unique quality. I am rather reluctant to assent to the creation of any more parks at the present time.

Mr. KEAN. Mr. President, will the Senator withhold his objection for a moment?

Mr. KING. I will withhold my objection for a moment.

Mr. KEAN. Mr. President, this bill was introduced last year while the country was celebrating the bicentennial of the birth of Washington. It was thought to be exceedingly appropriate that there should be acquired in New Jersey the lands where Washington's troops were camped and also the house in which he lived for three years during the darkest days of the American Revolution. On the soil of New Jersey there were fought more battles during the Revolutionary War than in any other State of the Union. Morristown to-day is a strategic point in the United States if an invading army should ever attempt to invade the United States. It is well known that the site of the proposed Morristown National Historical Park is one of the most historic points in the United States, and I hope the Senator from Utah, coming as he does from a race that has served the United States well, not only in Utah but in other States, and being a patriotic citizen, will consent to passage of this bill.

Mr. WALSH of Massachusetts. Mr. President, after the plea which has been made by the Senator from New Jersey I am sure the Senator from Utah will withdraw his objection.

Mr. KING. Mr. President, of course it is very ungracious, after the very complimentary reference made by my friend, to interpose any objection. I find, however, on page 4 an amendment has been offered which provides—

That no appropriation of Federal funds for administration, protection, and maintenance of said park in excess of \$7,500 annually shall be made for the fiscal years 1934, 1935, and 1936.

Whenever a national park is created, the next thing, of course, is to secure a large appropriation. I think the Senator from New Jersey had better eliminate that amendment, and then perhaps the bill may get through.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. KING. I appeal to my friend to eliminate that amendment.

Mr. KEAN. Very well, Mr. President; I will consent that the amendment be rejected.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with amendments.

The first amendment was, in section 1, page 2, line 10, after the name "Morristown," to strike out "to be accepted subject to existing water rights," so as to make the section read:

That when title to all the lands, structures, and other property in the military camp-ground areas and other areas of Revolutionary War interest at and in the vicinity of Morristown, N. J., as shall be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national-park purposes shall have been vested in the United States, such areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and enjoyment of the people and shall be known as the Morristown National Historical Park: *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid areas, but such lands shall be secured by the United States only by public or private donation: *And provided further*, That such areas shall include, at least, Jockey Hollow camp site, now owned by Lloyd W. Smith and the town of Morristown; Fort Nonsense, now owned by the town of Morristown; and the George Washington headquarters, known as the Ford House, with its museum and other personal effects and its grounds, now owned by the Washington Association of New Jersey.

The amendment was agreed to.

The next amendment was, in section 6, page 4, line 11, to insert:

Provided, That no appropriation of Federal funds for administration, protection, and maintenance of said park in excess of \$7,500 annually shall be made for the fiscal years 1934, 1935, and 1936.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was rejected.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MEMORIAL TO DIPLOMATIC AND CONSULAR OFFICERS

The joint resolution (S. J. Res. 237) authorizing the erection in the Department of State Building of a memorial to the American diplomatic and consular officers who while on active duty lost their lives under heroic or tragic circumstances was read, considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the Director of Public Buildings and Public Parks of the National Capital be, and he is hereby, authorized to grant permission to the American Foreign Service Association for the erection of a memorial to the American diplomatic and consular officers who while on active duty lost their lives under heroic or tragic circumstances. The design of the memorial shall be approved and the site in the Department of State Building shall be chosen by the Commission of Fine Arts, and the United States shall be put to no expense in or by the erection of the said memorial.

DISPOSAL OF LIGHTHOUSE RESERVATIONS

The bill (S. 5581) authorizing the Secretary of Commerce to dispose of certain lighthouse reservations, and for other purposes, was read, considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of Commerce is hereby authorized to convey to the State of Wisconsin for State park purposes that portion of the Eagle Bluff Lighthouse Reservation, Wis., which is not required to be retained for lighthouse purposes. The Secretary of Commerce shall describe by metes and bounds in the deed of conveyance the exact portion of the reservation transferred: *Provided*, That the Secretary of War may enter upon and utilize for the purpose of obtaining stone for river and harbor work, and other uses of the department, any area within said tract which he may determine to be necessary for such purpose. Authority is also hereby granted to lease to the State of Wisconsin

that portion of the lighthouse reservation not transferred for a period of 25 years, subject to revocation at any time by the Secretary of Commerce.

Sec. 2. The Secretary of Commerce is authorized to convey to the city of Muskegon, Mich., a portion of the Muskegon Lighthouse Reservation, Mich., consisting of 1 acre, located at the foot of Beach Street, in the said city of Muskegon, formerly occupied by light keeper's dwelling, in exchange for a parcel of land 80 feet wide north and south by approximately 500 feet long, extending to the shore of Lake Michigan, containing ninety-two one-hundredths of an acre, lying adjacent on the south to property now occupied by light keeper's dwelling. The city of Muskegon will be required to furnish a fee-simple title good of record and free of all incumbrances, together with abstract of title acceptable to the Attorney General of the United States.

Sec. 3. The Secretary of Commerce is authorized to convey to the borough of Keansburgh, N. J., that portion of the Point Comfort Lighthouse Reservation, N. J., not required for lighthouse purposes under the following conditions: The property will be used for public beach or park purposes; the property will be kept in good condition by the borough of Keansburgh; no buildings or other structures will be erected on the property which would in any way interfere with the operation of the light; the Lighthouse Service shall have right of way over the property at all times to and from the light; the Lighthouse Service shall have right of way for the maintenance of the existing pole lines across the property; and the Lighthouse Service may make future use of the property that may be found necessary in connection with maintaining aids to navigation.

Sec. 4. The Secretary of Commerce is hereby authorized to convey to the Lower Township of Cape May County, State of New Jersey, for public-roadway purposes that portion of the Cape May Light Station which is not required to be retained for lighthouse purposes, consisting of a strip of land 50 feet in width and approximately 217 feet in length, said land to be described by metes and bounds in the deed of conveyance.

Sec. 5. The Secretary of Commerce is hereby authorized to convey to the board of selectmen of the town of Chatham, Mass., for roadway and public-park purposes such portions of the Chatham Lighthouse Reservation, Mass., as are not required to be retained for lighthouse purposes. The deed of conveyance shall describe by metes and bounds the exact portions of the reservation transferred.

Sec. 6. The Secretary of Commerce is hereby authorized to convey to the city commission of the city of St. Augustine, Fla., for public-park purposes that portion of the Anastasia Island Lighthouse Reservation, Fla., which is not required to be retained for lighthouse purposes, consisting of lots 1 and 2, section 21, township 7 south, range 30 east, Tallahassee, Fla., excepting that part of lot 2 between the 5-acre lighthouse tract and the hard-surfaced road, together with a perpetual easement for beams of light across any part of the land that may be between the lighthouse and the sea: *Provided*, That no conveyance of the property shall be made until such time as the city commission of the city of St. Augustine shall have agreed in writing to relieve the United States from being a party to any claims or litigation through the acquisition of the land in question by the city of St. Augustine, and that satisfactory agreements are reached with holders of record to subdivided lands in said lots 1 and 2 prior to 1923. The deed of conveyance shall be subscribed by metes and bounds the exact portions of the reservation transferred.

Sec. 7. The Secretary of Commerce is hereby authorized to transfer to the War Department of the Marblehead Lighthouse Reservation, Mass., reserving unto the Department of Commerce an area of 100 feet square surrounding the lighthouse tower, together with a right of way by land and sea.

Sec. 8. The Secretary of Commerce is hereby authorized to transfer to the Treasury Department the Grosse Isle Lighthouse Reservation, Wayne County, Mich., to be occupied by the Customs Service as a patrol base. The reservation consists of approximately eleven one-hundredths of an acre, more or less.

Sec. 9. That the Secretary of Commerce is authorized to acquire by exchange a parcel of land located in Atlantic County, N. J., under the jurisdiction of the Board of Chosen Freeholders of Atlantic City, N. J., and offered by that board in exchange for the present site, belonging to the United States, acquired for lighthouse purposes, situate on what is known as Rum Point, containing approximately 3 4/10 acres, more or less, as a more suitable site for the establishment of a lighthouse depot at that point to care for increased activities within the third lighthouse district.

Sec. 10. The Secretary of Commerce is hereby authorized to transfer to the Navy Department the Blakistone Island Lighthouse Reservation, Md. The reservation is no longer required for lighthouse purposes.

Sec. 11. The Secretary of Commerce and the Secretary of the Treasury are hereby authorized to acquire by transfer from the War Department certain unused property located adjacent to the South Pier, Buffalo Harbor, N. Y., which is now reserved for military purposes but not required for such purpose by the War Department, excepting therefrom the United States South Pier. Two parcels of the land containing 5 36/100 acres and 8 68/100 acres, respectively, may be transferred to the Secretary of Commerce for lighthouse purposes, and one parcel of land containing 14 55/100 acres may be transferred to the Secretary of the Treasury for Coast Guard activities.

Sec. 12. That the act of February 18, 1931 (46 Stat. 1172), entitled "An act to reserve for public use rocks, pinnacles, reefs, and small islands along the sea coast of Orange County, Calif.," is

hereby amended to reserve for lighthouse purposes the San Juan and San Mateo Rocks and the two rocks in the vicinity of Laguna Beach, off the coast of Orange County, Calif.

Sec. 13. Each conveyance authorized by sections 1, 2, 3, 4, 5, and 6 shall be subject to the express condition that the grantee assume the obligations imposed by such sections, including carrying out the purposes of the grant. The Secretary of Commerce may at any time, by letter addressed to its chief executive officer or officers, notify any such grantee which has not begun to perform, or has ceased to perform, any such obligation that the property so conveyed will revert to the United States; and if such grantee does not begin or resume the performance of such obligation within a period of six months from the date of such notice, such property shall, upon the expiration of such period, revert to the United States without further notice or demand or any suit or proceeding. The United States reserves the right to resume ownership, possession, and control, for Government purposes, of any of the property so conveyed, at any time and without the consent of the grantee.

MAJ. O. S. M'CLEARY, UNITED STATES ARMY, RETIRED

The bill (S. 2508) for the relief of Maj. O. S. McCleary, United States Army, retired, was read, considered, ordered to be engrossed for a third time, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to allow to Maj. O. S. McCleary, United States Army, retired, the sum of \$148.98, being difference between active-duty pay and allowances and retired pay for period from July 2 to 20, 1927, while he was on leave from active duty to which as a retired officer he was assigned.

BILL PASSED OVER

The bill (S. 4326) for the relief of R. S. Howard Co. (Inc.), was announced as next in order.

Mr. KING. Over.

The PRESIDING OFFICER. The bill will be passed over.

W. H. HENDRICKSON

The bill (S. 2862) for the relief of W. H. Hendrickson was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. H. Hendrickson, of Salt Lake City, Utah, the sum of \$250 in full satisfaction of his claim against the United States arising out of the sale of a Ford truck to him by the prohibition administrator on June 7, 1930, at Salt Lake City, Utah.

JOHN O'NEIL

The Senate proceeded to consider the bill (H. R. 5989) for the relief of John O'Neil, which had been reported from the Committee on Naval Affairs with an amendment in line 9, after the word "*Provided*," to strike out "That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act" and to insert "That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act," so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers John O'Neil, late of United States Naval Reserve Force, shall hereafter be held and considered to have been discharged under honorable conditions from the naval service of the United States on the 10th day of October, 1918: *Provided*, That no compensation, retirement pay, back pay, pension, or other benefits shall be held to have accrued prior to the passage of this act.

Mr. KING. Mr. President, I ask the Senator from Massachusetts whether this bill falls within the rule which he announced yesterday?

Mr. WALSH of Massachusetts. Mr. President, I am not familiar with the exact facts in this case, but I do know that no relief bills of this nature are passed by the full committee without falling within the rule announced yesterday.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

OLEN H. PARKER

The Senate proceeded to consider the bill (H. R. 9473) for the relief of Olen H. Parker, which had been reported from the Committee on Naval Affairs with an amendment on

page 1, line 9, after the word "*Provided*," to strike out "That no bounty, back pay, pension, compensation, or allowance of any kind shall be held to have accrued prior to the passage of this act" and to insert "That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act," so as to make the bill read:

Be it enacted, etc., That in the administration of the compensation laws and laws conferring rights and privileges upon honorably discharged soldiers, sailors, marines, and so forth, their widows and dependent relatives, Olen H. Parker shall hereafter be held and considered to have been discharged under honorable conditions from the United States Marine Corps on May 10, 1919: *Provided*, That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

NAVAL RESERVE AND MARINE CORPS RESERVE

The Senate proceeded to consider the bill (H. R. 5329) to amend section 24 of the act approved February 28, 1925, entitled "An act to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve," as amended by the act of March 2, 1929.

Mr. KING. Mr. President, I should like to have an explanation of that measure.

Mr. SHORTRIDGE. Mr. President, the report sets forth the facts. The bill really was initiated by the Navy Department and they recommend favorable action. However, in compliance with the Senator's request, let me say that he will note in the report, beginning with the second paragraph, the following:

Under present law the Secretary of the Navy has authority to stop the retainer pay of men transferred to the reserve prior to July 1, 1925, who fail to report for inspection. As to men transferred to the reserve after July 1, 1925, the Comptroller General has ruled pay can not be stopped except by the sentence of court-martial; the purpose of this bill is to correct this situation, so that the Secretary of the Navy may have authority to stop the retainer pay of any and all members of the reserve who fail to report for inspection when called.

Mr. KING. Mr. President, I am not sufficiently acquainted with the measure to be sure, but it seems to change the existing law. I shall not object to its passage with the understanding that I shall call up Mr. McCarl, the Comptroller General, in whom I have great confidence, and if he feels that this is not a modification of the existing law, and does not restrict him in the authority which has been conferred upon him, I shall not move to reconsider; but if he shall report otherwise, I shall move to reconsider and ask the Senator to permit the bill to go back on the calendar. Is that understood?

Mr. SHORTRIDGE. That is understood, and is quite agreeable to me.

The bill was ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 9166) for the relief of William E. B. Grant was announced as next in order.

Mr. WALSH of Massachusetts. Mr. President, I notice there is a similar Senate bill on the calendar. Not knowing which bill the Senator from Maryland [Mr. TYDINGS] desires to have passed, I think I shall ask that the bill go over temporarily.

The PRESIDING OFFICER. The bill will be passed over temporarily.

JOHN HUNTZ ROLOFF

The Senate proceeded to consider the bill (H. R. 9272) to correct the rating of John Huntz Roloff, Fleet Naval Reserve, which had been reported from the Committee on Naval Affairs with an amendment, on page 2, line 4, after the word "*Provided*," to strike out "That no bounty, back pay, or allowance shall be held to have accrued prior to the passage of this act" and insert "That no compensation, retirement

pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act," so as to make the bill read:

Be it enacted, etc., That John Huntz Roloff, chief machinist's mate, acting appointment, Fleet Naval Reserve, shall be deemed to hold the rating of chief machinist's mate, permanent appointment, Fleet Naval Reserve, from date of the approval of this act, because John Huntz Roloff was found qualified for the rating of chief machinist's mate, permanent appointment, on July 22, 1922, and recommendation for the promotion was forwarded to the Navy Department, where the papers concerning the advancement were filed and no action taken, and said Roloff was transferred to the Fleet Naval Reserve from the active list on September 20, 1922, without having received the promotion for which he had been found qualified and had been recommended: *Provided*, That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BRIDGE BILLS

The PRESIDING OFFICER. The next three bills on the calendar are House bridge bills, and, without objection, will be considered en bloc.

Mr. LEWIS. Mr. President, I rise being slightly solicitous as to order of business No. 1268, being House bill 14129, and to make sure of its being passed, as it is the great desire of my constituency to have the privilege sought in the construction of the bridge connecting Lake Michigan and the Chicago River, and I may add the definition of the place that attends and attaches to the location is what is known as the Ogden Slip. I may add that this is not the only slip that exists in my community, but it is one in which they are very much interested in having at once bridged.

The PRESIDING OFFICER. The Senator is not objecting to the passage of the bill, is he? [Laughter.]

Mr. LEWIS. Oh, no. I am urging its immediate and unanimous passage.

The following bills were severally considered, ordered to a third reading, read the third time, and passed:

H. R. 13974. An act granting the consent of Congress to Bonner County, State of Idaho, to construct, maintain, and operate a free highway bridge across Pend Oreille Lake at the city of Sandpoint in the State of Idaho;

H. R. 14129. An act to extend the time for completing the construction of a bridge across that portion of Lake Michigan lying opposite the entrance to Chicago River, Ill.; and a bridge across the Michigan Canal, otherwise known as the Ogden Slip, in the city of Chicago, Ill.; and

H. R. 14200. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Alexandria Bay, N. Y.

LOCAL COOPERATION IN WATERWAY IMPROVEMENTS

The joint resolution (S. J. Res. 235) amending provisions in river and harbor laws relating to local cooperation in the prosecution of waterway improvements was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of that joint resolution?

Mr. BULKLEY. Mr. President, under the act of 1930 providing for river and harbor improvements there were a number of cases where contributions of specific sums of money were required by local interests. Since that time the cost of doing construction work has been considerably reduced so that in some cases it is actually being accomplished for not much more than 50 per cent of the cost as estimated at the time the project was undertaken. Under those circumstances it does not seem fair that the local contributions should remain the same as required under the original estimate.

This joint resolution would authorize the Secretary of War to reduce local contributions in such cases so that the local contributions would bear the same proportion to the actual cost of the work as was originally intended; that is to say, that they would bear the same proportion to the actual cost

of the work as the fixed contribution under the law bears to the estimated cost of the work.

Mr. McKELLAR. Has the joint resolution the approval of the War Department?

Mr. BULKLEY. I think the War Department has not as yet reported on it.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Commerce, with an amendment, on page 1, after line 5, to insert "subject to the approval of the Board of Engineers for Rivers and Harbors," so as to make the joint resolution read:

Resolved, etc., That when the authorization of a project of river and harbor improvement requires that local interests shall contribute a specific sum of money toward its cost, the Secretary of War, subject to the approval of the Board of Engineers for Rivers and Harbors, may reduce the sum to be contributed to an amount which shall be in the same ratio to the amount of the required contribution as the actual cost of the work to which said contribution is applicable bears to its original estimated cost as set forth in the project document: *Provided*, That the reduction hereby authorized shall not extend to contributions heretofore made.

The amendment was agreed to.

Mr. CONNALLY. This proposed amendment of the law, it seems to me, is ill advised. It seems to me that the authority ought to rest in the Secretary of War. He is the responsible authority, and to make his action dependent upon what the Board of Army Engineers should advise him seems to me undue infringement on the power of a Cabinet officer. So I hope the amendment will be rejected.

Mr. McKELLAR. He naturally would have to get the facts from the Board of Engineers.

Mr. CONNALLY. To be sure.

Mr. McKELLAR. And he would not approve unless he had their approval, anyway.

Mr. CONNALLY. That is the point exactly. Therefore it is unnecessary.

Mr. VANDENBERG. Mr. President, I shall have to object to the consideration of the joint resolution.

Mr. KING. I call for the regular order.

The PRESIDING OFFICER. The joint resolution is objected to and will be passed over.

Mr. BULKLEY subsequently said: Mr. President, I ask to return to Order of Business No. 1270, S. J. Res. 235. I am now advised by the Senator from Texas [Mr. CONNALLY] that he will not insist upon his opposition to the committee amendment, and in that case I understand that the Senator from Michigan [Mr. VANDENBERG] will withdraw his objection to the consideration of the joint resolution.

The PRESIDING OFFICER. The amendment has been agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

REINTERMENT OF DEAD BODIES IN THE DISTRICT

The Senate proceeded to consider the bill (S. 5052) authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Annie Regina Brahler from St. Mary's Cemetery to Cedar Hill Cemetery, which had been reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and to insert:

That section 93 of title 5 of the Code of Law for the District of Columbia is hereby amended by adding thereto the following proviso: "*Provided*, That the health officer of the District of Columbia may, in his discretion, authorize the opening, under sanitary precautions, of any such grave, and the disinterment and reinterment in the same grave or other suitable burial ground, of the dead body of any person who has died of any of the contagious diseases enumerated above."

Mr. WALSH of Massachusetts. Mr. President, I think the Committee on the District of Columbia is to be commended for abolishing the practice of requiring the passage of individual bills granting permission to move dead bodies, where persons have died of a contagious disease, by recom-

mending a general law on the subject. We have too many of those special bills.

Mr. KING. Mr. President, I desire to say to my friend from Massachusetts that the District Commissioners would have far greater power than they now possess to deal with these local questions which require special legislation if the people of the District could agree among themselves as to what powers they desire. We have introduced measures from time to time in the committee to enlarge the powers of the District Commissioners so as to enable them to deal with these matters instead of bringing every little question to Congress; but the people of the District have controversies among themselves as to the authority which they desire conferred upon their own commissioners.

Mr. WALSH of Massachusetts. I think this bill illustrates the absurdity of coming to the Congress of the United States with a bill to get permission to move a dead body from one cemetery in the city to another.

Mr. KING. I agree with the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to empower the health officer of the District of Columbia to authorize the opening of graves, and the disinterment and reinterment of dead bodies, in cases where death has been caused by certain contagious diseases."

CALL OF THE ROLL

Mr. BINGHAM. I suggest the absence of a quorum.

The PRESIDING OFFICER. Will not the Senator permit us to complete the calendar? We are about to take up the last bill on the calendar.

Mr. BINGHAM. For the purpose of calling the attention of certain Senators who are not present to the bill, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Dale	Keyes	Schuyler
Austin	Davis	King	Sheppard
Bailey	Dickinson	La Follette	Shipstead
Bankhead	Dill	Lewis	Shortridge
Barkley	Fess	Logan	Smith
Bingham	Fletcher	McGill	Smoot
Black	Frazier	McKellar	Steiwer
Blaine	George	McNary	Stephens
Borah	Glass	Metcalf	Swanson
Bratton	Glenn	Moses	Thomas, Idaho
Brookhart	Goldsborough	Neely	Thomas, Okla.
Bulkeley	Gore	Norbeck	Townsend
Bulow	Grammer	Norris	Trammell
Byrnes	Hale	Nye	Tydings
Capper	Harrison	Oddie	Vandenberg
Caraway	Hastings	Patterson	Wagner
Clark	Hatfield	Pittman	Walcott
Connally	Hayden	Reed	Walsh, Mass.
Coolidge	Hebert	Reynolds	Walsh, Mont.
Copeland	Hull	Robinson, Ark.	Watson
Costigan	Johnson	Robinson, Ind.	White
Couzens	Kean	Russell	
Cutting	Kendrick	Schall	

The PRESIDING OFFICER. Ninety Senators have answered to their names. A quorum is present. The clerk will state the next bill on the calendar.

BILL PASSED OVER

The bill (S. 5553) to relieve destitution in the District of Columbia was announced as next in order.

Mr. KING. Mr. President, a number of Senators are interested in this bill, one of whom desires to be heard upon it. In view of that fact, I suggest that it go over. We will have an opportunity to consider it a little later.

The PRESIDING OFFICER. The bill will be passed over. That completes the calendar.

AMENDMENT OF RADIO ACT

Mr. DILL. Mr. President, under Rule VIII, I move that the Senate proceed to the consideration of H. R. 7716, to provide certain amendments to the radio law.

The PRESIDING OFFICER. The question is on the motion of the Senator from Washington.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 7716) to amend the radio act of 1927, approved February 23, 1927, as amended (U. S. C., Supp. V, title 47, ch. 4), and for other purposes, which had been reported from the Committee on Interstate Commerce, with amendments.

Mr. DILL. Mr. President, I think I might make a short statement to explain the nature of this bill.

The PRESIDING OFFICER. Does the Senator wish to dispense with the formal reading of the bill and have the committee amendments considered first?

Mr. DILL. I should like to have that done.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DILL. Mr. President, this bill consists of several pages; but most of the pages are taken up with a reprint of the present provisions of the radio law that are amended, in order that Senators may know what the law is like when it has been amended. For that reason there are not so many changes as might seem to be the case at first glance at the bill.

The bill is designed first to provide certain changes in the hearings by the commission. The commission never has had any specific statute under which to hold hearings, and this bill attempts to set up a procedure for hearings. Since there are so many hearings by the commission, it seems highly desirable that this subject should be covered by statute.

Then there are certain minor changes regarding the transfer of licenses to holding companies, and certain amendments regarding appeal procedure by the committee. It has been felt that the appeal provision of the present law is somewhat lacking in definiteness, and therefore that this procedure should be more specifically stated by statute.

Then there is an amendment known as the amendment prohibiting the advertising of lotteries by radio, as newspapers are now forbidden, and another amendment of considerable importance enlarging the equality provision of the use of radio for political purposes.

I think we can discuss the amendments as we come to them, if Senators desire to ask questions.

Mr. KING. Mr. President, may I inquire of the Senator whether the bill enlarges materially the powers of the commission to deal with wave-lengths, and to extend greater privileges and restrict certain privileges?

Mr. DILL. No; I think it gives no added power to the commission, but only defines probably a little more clearly certain powers of the commission.

Mr. KING. It relates to administration rather than to what might be denominated substantive law?

Mr. DILL. With the exception of the matter of lotteries, it is largely a matter of amendments of a technical nature to the existing statute.

Mr. KING. It does not increase the number of employees?

Mr. DILL. No; it does not.

Mr. KING. Or increase the expenses?

Mr. DILL. We hope it will cut down some of the expenses.

I ask to have the amendments stated.

The PRESIDING OFFICER (Mr. Dickinson in the chair). The clerk will read the bill for amendment, the amendments of the committee to be first considered.

The Chief Clerk proceeded to read the bill.

The first amendment of the Committee on Interstate Commerce was, on page 3, line 4, after the name "Guam," to strike out "Eastern" and insert "American," so as to read:

The Virgin Islands, Puerto Rico, Alaska, Guam, American Samoa, and the Territory of Hawaii are expressly excluded from the zones herein established, but this act shall otherwise apply to them with equal force and effect.

The amendment was agreed to.

The next amendment was, on page 4, line 16, after the word "member," to insert "or members"; in the same line, after the word "commission," to strike out "or any examiner or other officer or employee thereof," so as to read:

The commission may conduct its proceedings in such manner as will best conduce to the proper dispatch of business and the ends of justice. The commission may hold public hearings and order testimony to be taken by deposition, at any designated place, in connection with any proceeding or investigation authorized by this act, and may require the attendance and testimony of witnesses and the production of documentary evidence, from any place in the United States, at any designated place of hearing. Any member or members of the commission, when duly designated by the commission for such purpose, may hold hearings, sign and issue subpoenas, administer oaths, examine witnesses, and receive evidence at any place within the jurisdiction of the United States designated by the commission.

The amendment was agreed to.

The next amendment was, on page 4, line 21, after the word "commission," to insert a colon and the following provisos:

Provided, That the commission may authorize examiners to hold hearings and exercise all of the powers herein granted the commission in connection with holding hearings in cases not involving a change of policy by the commission, a transfer of the use of radio facilities from one zone to another, a change of regulations, new devices or developments in radio, or a new kind of use of frequencies: *Provided further*, That in all cases heard by an examiner the commission shall grant oral arguments on request of either party.

The amendment was agreed to.

The next amendment was, on page 5, line 8, after the word "thereof," to strike out "or before an examiner or other officer or employee thereof" and insert "or an examiner," so as to read:

In case of failure to comply with any subpoena or in case of the contumacy of any witness appearing at any hearing before the commission, a commission thereof, or an examiner, the commission may invoke the aid of any district court of the United States. Such a court may thereupon order the witness to comply with the requirements of the subpoena or to give evidence which is relevant to the matter in question; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

The amendment was agreed to.

The next amendment was, on page 5, line 25, after the words "before the," to strike out "commission or" and insert "commission"; on page 6, line 1, after the word "thereof," to strike out "or before an examiner or other officer or employee of the commission" and insert "or an examiner"; in line 4, after the word "commission," to strike out "or"; in line 5, after the word "thereof," to strike out "or of any examiner or other official or employee thereof" and insert "or of an examiner"; and in line 9, after the word "interested," to insert "as shall all opinions or memorandum opinions filed by the commission in support of its decisions," so as to read:

A majority of the commission shall constitute a quorum for the transaction of business, but no commissioner shall participate in any hearing or proceedings in which he has a pecuniary interest. The commission may, from time to time, make or amend such general rules or orders as may be requisite for the order and regulation of the proceedings before it, including forms of notices and the service thereof, which shall conform, as nearly as may be, to those in use in the courts of the United States. Any party to any proceeding may appear before the commission, any commissioner thereof, or an examiner holding any hearing and be heard in person or by attorney. Every vote and official act of the commission, of any commissioner thereof, or of an examiner, in any hearing, proceeding, or investigation, shall be entered of record, and such record shall be public upon the request of any party interested, as shall all opinions or memorandum opinions filed by the commission in support of its decisions.

The amendment was agreed to.

The next amendment was, on page 6, line 22, after the word "commission," to strike out "or"; in the same line, after the word "thereof," to strike out "or any examiner, official, or employee thereof," and insert "or an examiner"; so as to read:

The commission may order testimony to be taken by deposition in any proceeding or investigation pending under this act at any stage of such proceeding or investigation. Such depositions may be taken before any person designated by the commission and having power to administer oaths. Such testimony shall be reduced to writing by the person taking the deposition, or under his direction, and shall then be subscribed by the deponent. Any person may be compelled to appear and depose and to produce documentary evidence in the same manner as witnesses may be

compelled to appear and testify and produce documentary evidence before the commission, any commissioner thereof, or an examiner, as hereinbefore provided.

Mr. KING. Mr. President, I ask the Senator from Washington, having the bill in charge, whether he regards this rather extraordinary conferring of authority upon examiners, to compel attendance of witnesses, and to require individuals to be present and testify is not too great authority to confer upon the examiners?

Mr. DILL. Mr. President, perhaps I should say that the authority is conferred upon the commission, and if we are to allow examiners to hold hearings for the commission, we must give them this power.

Under the present procedure the commission has proceeded to do all these things, and is holding practically all of the hearings by means of examiners. I do not believe, and never have believed, that under the statute they had that right, because the law simply authorizes the commission to hold hearings, and then it provides they may appoint examiners. The commission has proceeded to follow a system such as that used in the Interstate Commerce Commission.

The Senator will note that we have limited the hearings which examiners may hold. All of the new questions and new policies which might be raised before the commission must be considered by the commission or a commissioner.

We have also provided that when an examiner does hold a hearing the commission must permit oral argument. For many months now they have had hearings conducted by examiners, and the cases have been submitted to the commission, and sometimes the parties were unable to get even a hearing before the commission. It is to put a stop to this procedure that this amendment was written in this way.

Mr. KING. Mr. President, the Senator, with his experience, and knowing the conduct too often of bureaucrats, knows that to confer upon persons, many of whom may not have had large judicial experience, authority to hale witnesses before them and compel them to testify is going a long way.

Mr. DILL. Mr. President, I may say it is a policy we have followed in connection with the Interstate Commerce Commission; and if a hearing by an examiner is to be effective, of course the examiner must have the power conferred in this amendment. Personally I should have liked to provide that all hearings should be held by the commission itself, or some member of the commission, but I was overridden by the committee in that viewpoint, and I accepted this amendment as a substitute, requiring, as we do here, that all hearings affecting the development of radio or new problems of radio shall be heard before the commission.

Mr. KING. Mr. President, I share the views of the Senator. I think all such questions ought to be heard before the commission, because it is a very important matter, and the importance of radio and its activities will become more apparent as the days go by. But if the Senator has given attention to this and is willing to accept it, I shall pretermit any further objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 7, line 11, before the word "any," to strike out "or," in the same line, after the word "commissioner" to strike out "examiner, or other officer or employee thereof," and insert "or examiner," so as to read:

No person shall be excused from attending and testifying or answering any lawful inquiry or from deposing or from producing documentary evidence before the commission, any commissioner, or examiner or in obedience to the subpoena of the commission, whether such subpoena is signed or issued by one or more commissioners, or by any other person duly authorized, or in any cause or proceeding, criminal or otherwise, based upon or growing out of any alleged violation of this act or upon the taking of any deposition herein provided for, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no natural person shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled under oath so to testify,

answer, or produce evidence, documentary or otherwise: *Provided*, That no natural person so testifying shall be exempt from prosecution and punishment for perjury committed in so testifying.

The amendment was agreed to.

The next amendment was, on page 9, line 5, after the name "Guam," to strike out "Eastern" and insert "American," so as to read:

The provisions of this section shall not apply to the Virgin Islands, Puerto Rico, Alaska, Guam, American Samoa, and the Territory of Hawaii.

The amendment was agreed to.

Mr. SHIPSTEAD. Mr. President, I would like to ask the Senator from Washington whether these amendments are proposed as the result of a hearing that was held.

Mr. DILL. Mr. President, some of the amendments are; some of them were prepared as a result of previous hearings.

Mr. SHIPSTEAD. Was the bill recommended by the committee unanimously?

Mr. DILL. Yes; the report was unanimous. What particular phase of the question did the Senator have in mind?

Mr. SHIPSTEAD. I attended the hearing, and I found many objections to the bill as it was being considered in the committee.

Mr. DILL. I may say to the Senator that the representative of the broadcasters, Mr. Fellows, came before the committee, and has since written me a letter stating that while we did not put in all of the changes they had hoped for that we had remedied most of the things of which complaint was made.

Mr. SHIPSTEAD. The Senator feels that most of the objections I heard raised in the hearing will be eliminated by these amendments?

Mr. DILL. I think so.

The next amendment was, on page 10, line 20, after the word "which," to strike out "any officer or director is an alien" and insert "more than one-fifth of the directors are aliens"; so as to read:

SEC. 12. The station license required hereby shall not be granted to, or after the granting thereof such license shall not be transferred in any manner, either voluntarily or involuntarily (or indirectly by transfer of control of any company, corporation, or association holding such license), to (a) any alien or the representative of any alien; (b) to any foreign government or the representative thereof; (c) to any company, corporation, or association organized under the laws of any foreign government; (d) to any company, corporation, or association of which more than one-fifth of the directors are aliens or of which more than one-fifth of the capital stock may be voted by aliens or their representatives, or by a foreign government or representative thereof, or by any company, corporation, or association organized under the laws of a foreign country: *Provided, however*, That nothing herein shall prevent the licensing of radio apparatus on board any vessel, aircraft, or other mobile station of the United States when the installation and use of such apparatus is required by act of Congress or any treaty to which the United States is a party.

The station license required hereby, the frequencies or wave length or length authorized to be used by the licensee, and the rights therein granted shall not be transferred, assigned, or in any manner either voluntarily or involuntarily disposed of, or indirectly by transfer of control of any company, corporation, or association holding such license, to any person, firm, company, association, or corporation, unless the commission shall, after a hearing, decide that said transfer is in the public interest, and shall give its consent in writing.

Mr. DILL. Mr. President, that language was inserted by mistake, and was not intended by the committee. I should like to offer a substitute on page 10, line 20, for the amendment as it is printed.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Washington as a substitute.

The CHIEF CLERK. In lieu of the amendment as printed, the Senator from Washington moves to amend line 20 so that it will read, "of which any officer is an alien or more than one-fifth of the directors are aliens."

Mr. WHITE. Mr. President, are we considering only committee amendments at this time?

The PRESIDING OFFICER. That is the order.

Mr. WHITE. I give notice that at the appropriate time I will move to strike out this whole section.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Washington in the nature of a substitute.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 11, line 22, after the word "revoked," to strike out the comma and "modified, or suspended" and insert "or the station owner fined not to exceed \$1,000," so as to read:

SEC. 9. Section 14 of the radio act of 1927 (U. S. C., Supp. V, title 47, sec. 94) is amended by striking out the words "Any station license shall be revocable by the commission," in the first line of said section, and by inserting in lieu thereof the following: "Any station license may be revoked or the station owner fined not to exceed \$1,000 by the commission."

The amendment was agreed to.

Mr. KING. Mr. President, the Senator from Washington knows that there have been many complaints, whether reasonable or unreasonable I do not intend to suggest, in regard to alleged discrimination in the granting of licenses, and complaints have been made because of alleged arbitrary cancellation or revocation of licenses. Complaints have been made that some stations have received too great privileges and others denied reasonable rights. I inquire of the Senator whether those complaints have been fully considered, and the bill as it is now presented deals with this question in as fair and just a way as the wisdom of the committee permitted them to suggest.

Mr. DILL. Mr. President, in reply to the Senator I may say that the committee did not attempt to recommend legislation which would restrict the commission in some of its powers, which would be necessary if we were to remedy the complaints which have been made. The fact of the matter is that most of the complaints which the Senator mentions are complaints which go to the discretion of the commission itself, and it is my opinion that the better way to meet those objections would be rather to change the personnel of the commission, than to hamper a commission by a series of provisions that would hinder a commission from giving more satisfactory and more just decisions. This particular amendment, however, refers to the matters of revocation and fine, and this amendment, together with the one which follows, is designed to provide a little more definite procedure as to hearings before a revocation can be effected. The committee thought that was desirable.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 12, line 2, after the word "revoke" to strike out the comma and "modified, or suspended" and insert "and no station owner fined," and in line 6, after the word "given" to strike out "reasonable opportunity" and insert "15 days," so as to make the proviso read:

Said section is further amended by striking out all of the proviso in said section and by inserting in lieu thereof the following: *Provided, however*, That no license shall be revoked and no station owner fined until the licensee shall have been notified in writing of the proceedings for such revocation, modification, or suspension, the cause for the proposed action, and shall have been given 15 days to show cause why an order of revocation, modification, or suspension should not be issued.

The amendment was agreed to.

The next amendment was, on page 15, line 19, after the word "exclusive" to insert "except as to revocations and fines," so as to read:

(g) The jurisdiction of the Court of Appeals of the District of Columbia under this section to review any decision or order of the commission shall be exclusive except as to revocations and fines, and the judgment of said court shall be final, except that it shall be subject to review by the Supreme Court of the United States upon certiorari as provided in section 240 of Judicial Code, as amended (U. S. C., title 28, sec. 347), and that nothing in this section shall be construed to prevent the application of section 239 of the Judicial Code, as amended (relating to certification of questions of law) (U. S. C., title 28, sec. 346), to cases in the Court of Appeals of the District of Columbia arising under this section.

The amendment was agreed to.

The next amendment was, on page 16, after line 4, to insert:

(h) Any licensee may, at his option, in lieu of appealing to the Court of Appeals of the District of Columbia, appeal from any order of the commission revoking a station license or fining a station owner to the district court of the United States for the district in which the transmitting apparatus of the station license is operated. The provisions of subsections (b), (c), (e), and (f) shall apply to such appeals. Upon any such appeal the commission shall appear as respondent. The matter may be brought on to be heard by the court in the same manner as a motion, by either the attorney for the commission or the attorney for the licensee, at any time after the commission has filed with the court the record provided for by subsection (c). The findings of the commission as to the facts, if supported by evidence, shall be conclusive. The court shall hear and determine the appeal upon the record before it and shall have power to affirm or, if the order of the commission is not in accordance with law, to modify or reverse the order of the commission for error of law. After review of any order from which an appeal is taken under this subsection it shall be the duty of the commission to set aside or modify its order in so far as may be necessary to accord with any judgment of the district court that has become final.

The amendment was agreed to.

The next amendment was, on page 17, line 17, after the name "Guam," to strike out "Eastern" and insert "American," so as to make the section read:

SEC. 11. Section 30 of the radio act of 1927 (U. S. C., Supp. V, title 47, sec. 110) is amended by inserting in the first proviso thereof after the word "Alaska," the words "Guam, American Samoa."

The amendment was agreed to.

The next amendment was, on page 17, after line 21, to strike out:

SEC. 13. No person shall broadcast by means of any radio station for which a license is required by any law of the United States, any information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any information concerning any ticket, certificate, or instrument representing any chance, share, or interest in or dependent upon the event of any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list of prizes or information concerning any list of prizes awarded by means of any such scheme, and any person so doing, upon conviction thereof, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

And in lieu thereof to insert:

SEC. 13. No person shall broadcast by means of any radio station for which a license is required by any law of the United States, and no person, firm, or corporation operating any such station shall knowingly permit the broadcasting of, any advertisement of any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes. Any person, firm, or corporation violating any provision of this section shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned not more than one year, or both.

The amendment was agreed to.

The next amendment was, at the top of page 19, to insert a new section, as follows:

SEC. 14 (a) If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such station; and if any licensee shall permit any person to use a broadcasting station in support of or in opposition to any candidate for public office, or in the presentation of views on a public question to be voted upon at an election, or by a governmental agency, he shall afford equal opportunity to an equal number of other persons to use such station in support of an opposing candidate for such public office, or to reply to a person who has used such broadcasting station in support of or in opposition to a candidate, or for the presentation of opposite views on such public question.

(b) The commission shall make rules and regulations to carry this provision into effect. No such licensee shall exercise censorship over any material broadcast in accordance with the provisions of this section. No obligation is imposed upon any licensee to allow the use of his station by any candidate, or in support of or in opposition to any candidate, or for the presentation of views on any side of a public question.

(c) The rates charged for the use of any station for any of the purposes set forth in this section shall not exceed the regular rates charged for the use of said station to advertisers furnishing regular programs, and shall not be discriminatory as between persons using the station for such purposes.

The amendment was agreed to.

Mr. DILL. Mr. President, I did not know that the clerk had read past subsection (i) of page 17. That language was

not corrected as it should have been owing to the other changes in the earlier part of the bill, and I want to offer a substitute for Section I, lines 3 to 13.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. In lieu of the amendment of the committee, on page 17, line 3, the Senator from Washington offers the following:

(1) The jurisdiction of the Court of Appeals of the District of Columbia and of district courts of the United States, under this section, to review any order of the commission revoking a station license or fining a station owner, and the jurisdiction of the Court of Appeals of the District of Columbia under this section to review any other order of the commission specified in subsection (a), shall be exclusive. An appeal filed by any licensee with any such court for the review of an order of the commission revoking or suspending a station license shall bar appeal by such licensee to any other court for the review of such order.

And in lieu thereof insert:

(1) The jurisdiction of the Court of Appeals of the District of Columbia and of district courts of the United States to review any order of the commission revoking a station license or fining a station owner shall be exclusive. An appeal filed by any licensee with either of said courts for the review of an order of the commission revoking a station license or fining a station owner shall bar appeal by such licensee to any other court for the review of such order.

Mr. KING. Mr. President, I have had no opportunity to examine the amendment which the Senator just tendered.

Mr. DILL. The language as it is written in the statute is not quite correct in light of the changes made about fining a station, and for that reason I had to correct it to make it fit into the amendment made previously. It was my mistake in reporting the bill.

Mr. KING. As I remember the amendment, it denies the right of appeal from certain courts.

Mr. DILL. No; it makes it exclusive with either the Court of Appeals of the District of Columbia or the district court in the district in which the station is located.

Mr. KING. But it does not attempt to deny the right of appeal to the Supreme Court of the United States if some Federal question is involved?

Mr. DILL. Oh, no; but if they appeal to the district court they can not then appeal to the Court of Appeals of the District of Columbia.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. GEORGE. I desire to offer an amendment on page 18, line 23, of the committee amendment, to strike out the semicolon and to insert a period and to strike out all after the semicolon down to and including the word "violation," in line 25. The amendment is offered solely for this purpose.

This section relates to the power of the commission over broadcasting companies and radio stations that have been guilty of violating the lottery or gift enterprise provision. A fine is imposed. The language which I seek to strike out is this:

But no radio-station license shall be suspended or revoked on account of any such violation.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (H. R. 14199) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1934, and for other purposes.

Mr. REED. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside so as to permit the final disposition of the pending bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. GEORGE. Mr. President, I do not think Senators in charge of the bill will have serious objection to the proposed amendment because it is not likely that the commission would revoke a license for a single violation. As the Postmaster General is not authorized to revoke the mailing

privilege of a publication for a single violation, certainly he does not do so; but for repeated or continued violations, the license of a broadcasting station might well and properly be revoked. With this language in the provision the power to revoke even for flagrant violations would be denied. I, therefore, move to strike the language I have indicated, beginning in line 23 and running through to the end of that sentence.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 18, lines 23, 24, and 25, the Senator from Georgia proposes to strike out the following:

But no radio-station license shall be suspended or revoked on account of any such violation.

Mr. GLENN. Mr. President, it seems to me the amendment proposed by the Senator from Georgia is a sound amendment. It does seem to me that authority should be given in case of repeated and flagrant violations to revoke a license. I trust the amendment will be adopted.

Mr. DILL. Mr. President, this particular language was put in by the Committee on Interstate Commerce, but I think it not particularly important because the commission would have the authority to revoke a license if the words referred to were taken out. The reason for putting in that provision was that a newspaper which violates the law is not precluded from using the mails for future issues. I think there is no necessity for it. I have no objection to the amendment.

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to, and without objection the amendment as amended is agreed to. The clerk will state the next amendment.

The next amendment was, at the top of page 19, to insert the following:

SEC. 14. (a) If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such station; and if any licensee shall permit any person to use a broadcasting station in support of or in opposition to any candidate for public office, or in the presentation of views on a public question to be voted upon at an election, or by a governmental agency, he shall afford equal opportunity to an equal number of other persons to use such station in support of an opposing candidate for such public office, or to reply to a person who has used such broadcasting station in support of or in opposition to a candidate, or for the presentation of opposite views on such public question.

(b) The commission shall make rules and regulations to carry this provision into effect. No such licensee shall exercise censorship over any material broadcast in accordance with the provisions of this section. No obligation is imposed upon any licensee to allow the use of his station by any candidate, or in support of or in opposition to any candidate, or for the presentation of views on any side of a public question.

(c) The rates charged for the use of any station for any of the purposes set forth in this section shall not exceed the regular rates charged for the use of said station to advertisers furnishing regular programs, and shall not be discriminatory as between persons using the station for such purposes.

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments. The bill is open to amendment.

Mr. VANDENBERG. Mr. President, the Senator from Washington [Mr. DILL] is familiar with an amendment which was known as section 15 which was in one of the original prints of the bill, undertaking to straighten out some of our international difficulties across the border in respect to broadcasting. I have discussed the matter with him and I ask whether he would resist taking to conference the language which appeared in the original print if I offer it as an amendment.

Mr. DILL. Mr. President, I have no objection to the amendment. There may be other Senators who would have. It is an amendment in the bill which was reported previously, and then when it was taken back to the committee some of the members of the committee thought it was unnecessary in view of the fact that we would probably hold a North American conference and that these differences and troubles between our own country and other countries on

this continent could be settled by international agreement, and therefore this legislation would not be needed. However, so far as I am concerned I have no objection to taking the amendment to conference.

Mr. VANDENBERG. I offer the following amendment.

The PRESIDING OFFICER. The amendment will be reported for the information of the Senate.

The CHIEF CLERK. Add at the proper place a new section as follows:

SEC. 15. No person, firm, company, or corporation shall be permitted to locate or maintain a radio broadcast studio or other place or apparatus from which or whereby sound waves or mechanical reproductions thereof are converted into electrical energy and transmitted, or delivered, to a radio station in a foreign country for the purpose of being broadcast from a radio station there, and thereby transmitted back into the United States without first obtaining permission from the Federal Radio Commission upon proper application therefor.

Such application shall contain such information as the commission may by regulation prescribe, and the granting or refusal thereof shall be subject to the requirements of section 11 of the radio act of 1927 with respect to applications for renewal or modification of station license, and the license or permission so granted shall be revocable when the commission, after hearings, shall find its continuation no longer in the public interest.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. LEWIS. Mr. President, I should like to ask the Senator from Washington, who has been so energetic in matters of radio legislation, and also the Senator from Michigan [Mr. VANDENBERG], if the feature of the bill which assumed to forbid lotteries and the provisions which accompany it in the forms of penalty have been changed from the condition in which they were when I had a conference with the Senator from Washington on the matter?

Mr. DILL. Mr. President, the Senator from Georgia [Mr. GEORGE] offered an amendment striking the two lines to which the Senator has reference.

Mr. LEWIS. Those to which I objected in bringing the matter to the attention of the Senator from Washington?

Mr. DILL. Yes.

Mr. LEWIS. That has been disposed of?

Mr. DILL. Yes.

Mr. LEWIS. That was satisfactory to the Senator from Washington?

Mr. DILL. Yes.

Mr. LEWIS. I thank the Senator.

Mr. FRAZIER. Mr. President, in behalf of the Senator from South Dakota [Mr. NORBECK], who is temporarily absent, I offer the following amendment.

The PRESIDING OFFICER. The Clerk will report the amendment for the information of the Senate.

The CHIEF CLERK. On page 9, after line 14, insert the following:

Section 9 of the radio act of 1927, as amended by the act of March 28, 1928 (Public Law No. 195, 70th Cong.), is hereby amended by adding at the end of section 9 the following: "Provided further, That the commission may grant applications for licenses for stations not exceeding 250 watts of power if the commission finds that such stations will serve the public convenience, interest, or necessity and that their operation will not interfere with the fair and efficient radio service of stations licensed under the quota provisions of this section, and said stations may be authorized without regard to the quota restrictions herein provided."

Mr. DILL. Mr. President, that amendment goes to a modification of what is known as the Davis amendment requiring equality of broadcasting facilities between the different zones and a division between the States. I am willing to take it to conference; but I do not want to agree to bring it back from the conference in the bill, because I do not know that it will be possible to do so. Mr. Davis, who was the author of the original amendment, will undoubtedly be chairman of the House conferees, and I am sure that if anybody will protect his own amendment it will be Mr. Davis. I, myself, have no objection to the amendment being accepted and taken to conference.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. WHITE. Mr. President, I move to strike out section 8 of the bill, appearing on page 10, relating to section 12 of the radio act of 1927.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 10, strike out lines 7 to 25, inclusive, and on page 11, lines 1 to 16 inclusive, as amended, as follows:

Sec. 8. Section 12 of the radio act of 1927 (U. S. C., Supp. V, title 47, sec. 92) is amended by striking out the whole of said section and inserting in lieu thereof the following:

"Sec. 12. The station license required hereby shall not be granted to, or after the granting thereof such license shall not be transferred in any manner, either voluntarily or involuntarily (or indirectly by transfer of control of any company, corporation, or association holding such license), to (a) any alien or the representative of any alien; (b) to any foreign government or the representative thereof; (c) to any company, corporation, or association organized under the laws of any foreign government; (d) to any company, corporation, or association of which more than one-fifth of the directors are aliens or of which more than one-fifth of the capital stock may be voted by aliens or their representatives, or by a foreign government or representative thereof, or by any company, corporation, or association organized under the laws of a foreign country: *Provided, however,* That nothing herein shall prevent the licensing of radio apparatus on board any vessel, aircraft, or other mobile station of the United States when the installation and use of such apparatus is required by act of Congress or any treaty to which the United States is a party.

"The station license required hereby, the frequencies or wave length or length authorized to be used by the licensee, and the rights therein granted shall not be transferred, assigned, or in any manner either voluntarily or involuntarily disposed of, or indirectly by transfer of control of any company, corporation, or association holding such license, to any person, firm, company, association, or corporation, unless the commission shall, after a hearing, decide that said transfer is in the public interest, and shall give its consent in writing."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine.

Mr. KING. Mr. President, will the Senator explain briefly his purpose?

Mr. WHITE. Mr. President, this is only one of a number of amendments which I should like to offer if time permitted. I do not want to set my judgment up against that of the Senator from Washington [Mr. DILL] or of that of the committee which unanimously reported this bill, and to prevent action by amendments and debate.

This particular section, in the form in which it changes present law, is aimed at a particular situation and a particular American corporation. It is directed against the International Telephone & Telegraph Co. of the United States. When the original law was drafted, serious thought was given to preventing the issuing of licenses to aliens. The law specifically provided that no license should be issued to, or after the issuing of a license, no license should be transferred to any alien or to any representative of an alien, to any corporation organized under the laws of a foreign country, or to any corporation that might be the representative of a foreign government, and so forth.

A great many people objected to these provisions, thinking that they violated the provisions of treaties which gave equality of right and equality of opportunity to the nationals of the contracting parties. Others doubted the wisdom of them, because they said they might seriously impair and interfere with the efforts of American companies to extend their facilities throughout the world and build up a worldwide communication system on behalf of the United States.

We went as far as I have indicated in preventing the issuance of licenses to aliens. We did not, however, deal with the question of the subsidiaries of a corporate parent company having some alien director or officer or some alien ownership.

Subsidiaries of the International Telephone & Telegraph Co. are licensees from the Federal Radio Commission. There is such a company on the Pacific coast which operates in international communication there and also maintains ship-to-shore service and, I think, does some point-to-point communication on the Pacific coast. There is another such company of Delaware which carries on like services on this

coast. They are licensees from the Federal Radio Commission, and they are 100 per cent American companies, both in stock ownership and in officer and director personnel. But above them there are holding companies, and eventually the control of those two licensees is in the International Telephone & Telegraph Co. That company has very important foreign interests. It operates communication services in various South American countries and in nations in other parts of the world. This proposed legislation is intended to force either the relinquishment of the licenses by the subsidiaries of this company or the ousting of all foreign officers and directors of the parent company. It would present to that company a most acute and embarrassing situation. That is the purpose that is aimed at, and it raises a substantial question of policy. My objection to the amendment—

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Kentucky?

Mr. WHITE. May I finish? Then I will yield. My objection to this proposed amendment to the law in the first place is that the language put in the bill, "or indirectly by transfer of control of any company, corporation, or association holding such license," which is not in the original law, does not, in fact, reach the situation at which the committee is aiming. It would apply, in my opinion, only to such a transfer of control corporate licensee hereafter and would not affect a situation where this parent control came about prior to the enactment of this legislation. That is one objection. I do not think it accomplishes, in a legal sense at all, what the committee seeks to do.

The next difficulty is in the incorporation of the language providing that one-fifth of the officers or directors—I am not sure precisely what the form of the amendment now is—opens up and enlarges existing law, because that would permit a licensee of the Federal Radio Commission to have such alien officers and alien directorate. That is not permitted under the present law. That is distinctly a backward step from the standard of what I will call Americanism, written in the 1927 law. It is because of those two infirmities that I think the whole section should be stricken out and that the entire matter should go to conference, because I have every confidence that from conference will come a provision giving the solution that we all want. I now yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, with the whole section stricken out, of course, it would mean that no Senate amendment would be incorporated in the House language; and inasmuch as the House language eliminates both officers and directors who are aliens, what field would the conferees have for adjusting any difference between the House and the Senate?

Mr. WHITE. The broad question of policy and the outstanding object at which we are aiming, I think, would be within the purview of the conferees, because there would be no Senate legislation upon the subject; and between those two extremities of the House provision and the absence of Senate action I think there would be ample opportunity to work out a compromise.

Mr. BARKLEY. Can the Senator inform me, inasmuch as he has brought in the International Telephone & Telegraph Co. as the holding company of a number of subsidiaries which have licenses, how many subsidiaries there would be operating under the old parent company?

Mr. WHITE. I would not want to speak with authority as to that, but I have spoken of two, and they are the principal ones. There may be one or two more, I am not certain; I would not presume to answer.

Mr. BARKLEY. Can the Senator tell the Senate how many alien directors there are on the board of the International Telephone & Telegraph Co.?

Mr. WHITE. Out of the 23, my recollection is that there were 4, and one of them has since died, so I think that 3 out of the 22 or 23 directors are aliens. I think that is right, but I have not checked this for some time.

Mr. BARKLEY. I do not want to take time from the Military Affairs Committee. I did not know the pending bill was coming up.

Mr. REED. I am going to have to call for the regular order very soon, Mr. President.

Mr. BARKLEY. I opposed the amendment of the Senate committee to the language of the House bill and reserved the right to oppose the amendment when the bill should be considered upon the floor, and I had intended to discuss it at some length. While I was called away in another committee which was attempting to frame a bill for consideration at an early date this measure was brought forward. I was absent at the time the Senate committee amendment was agreed to. I do not want to delay the military appropriation bill and I do not want to consume the time of the Senate unnecessarily on any score, but unless the conferees would have the widest authority in ironing out any difference between the House and the Senate on this proposition I would not feel disposed to vote upon the motion to strike the entire language out of the bill.

Mr. DILL. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield.

Mr. DILL. If the amendment of the Senator from Maine shall be adopted, the conference committee will have the most complete latitude. They can rewrite this entire section and I will say to the Senator that I feel certain the conferees will write a section that will be satisfactory to the Secretary of the Navy.

Mr. BARKLEY. I am basing my position largely on the attitude of the Secretary of the Navy, as disclosed in the letter which he wrote to the committee, which impressed me apparently more than it did the committee as a whole. I do not want to be in the attitude of trying to delay anybody or anything here but I want this section written so that it will be satisfactory to the Navy Department. I am not concerned about any other interest.

Mr. COUZENS. Mr. President, will the Senator from Kentucky yield to me?

Mr. BARKLEY. Yes.

Mr. COUZENS. I should be one of the conferees and I can assure the Senator that we will take full cognizance of the letter written by the Secretary of the Navy.

Mr. BARKLEY. The Senator, of course, had the Secretary's letter before him as a member of the committee; it did not seem to make much impression on him in the committee, and I wonder whether it would make any more impression on him as a conferee.

Mr. COUZENS. I confess to the fact that I do not now recall just what was in the letter from the Secretary of the Navy. The Senator knows.

Mr. BARKLEY. The Secretary of the Navy protested in the letter against the amendment that was inserted in the House language by the Senate committee, the House language eliminating all alien officers and directors, and the Senate committee amending it so as to limit the number of such alien officers and directors to one-fifth of the total. The Navy Department objected to any aliens being directors or officers of these companies and gave what seemed to me to be very cogent reasons for their position. I am wondering whether the Senator's mind is sufficiently open on the subject really to consider the Navy Department's attitude in view of the action of the committee.

Mr. COUZENS. I think the Senator from Washington [Mr. DILL] and myself, who have been watching this bill back and forth in the committee and in the Senate, are sufficiently open minded to give the matter due consideration.

Mr. BARKLEY. Well, Mr. President, I am not going to take further time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maine. [Putting the question.] By the sound, the "noes" seem to have it.

Mr. WHITE. I ask for a division.

On a division, the amendment was agreed to.

Mr. DILL. Mr. President, I have one more amendment I should like to offer.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add a new section, as follows:

The amendment to subparagraph (c) of section 5 of the radio act of February 23, 1927, approved May 19, 1932, is hereby repealed.

Mr. DILL. Mr. President, this amendment is designed to permit the Radio Commission to grant licenses to aviators who have radio sets on their planes. The bill that is being repealed was passed here without our realizing, I think, that it would prevent aviators from foreign countries who were in this country from having licenses to operate their radios. I should like to have this amendment providing for the repeal go to conference, and then we can hear from the Secretary of Commerce and obtain his opinion about it.

Mr. WHITE. Mr. President, I am not going to discuss the amendment, although I doubt its necessity or wisdom. I take this opportunity to say that there are many amendments that I should like to offer to this proposed legislation, and there are amendments which have been adopted of which I disapprove, but, as I previously said, I was not willing to defeat the bill by delays, so I am withholding amendments and withholding further comment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. DILL].

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

TREASURY AND POST OFFICE APPROPRIATIONS

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 13520) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ODDIE. Mr. President, I move that the Senate insist on its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and Mr. ODDIE, Mr. SMOOT, Mr. BINGHAM, Mr. DICKINSON, Mr. KEYES, Mr. MOSES, Mr. GLASS, Mr. McKELLAR, Mr. BRATTON, Mr. BYRNES, and Mr. THOMAS of Oklahoma were appointed conferees on the part of the Senate.

ARMY APPROPRIATIONS

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 14199) making appropriations for the military and non-military activities of the War Department for the fiscal year ending June 30, 1934, and for other purposes.

Mr. REED. I ask unanimous consent that the formal reading of the bill may be dispensed with, that it may be read for amendment, the committee amendments to be first considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. REED. I ask unanimous consent that when the consideration of the bill shall have been completed the clerk may be authorized to adjust the totals in accordance with the action of the Senate.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Pennsylvania? The Chair hears none, and it is so ordered. The clerk will state the first amendment reported by the committee.

The first amendment of the Committee on Appropriations was, under the subhead "Contingent Expenses, War Depart-

ment," on page 5, at the end of line 7, to strike out "\$125,000" and insert "\$148,000," so as to read:

For stationery; purchase of professional and scientific books, law books, including their exchange; books of reference, pamphlets, periodicals, newspapers, maps; typewriting and adding machines, and other labor-saving devices, including their repair and exchange; furniture and repairs to same; carpets, matting, linoleum, filing equipment, photo supplies, towels, ice, brooms, soap, sponges; maintenance, repair, and operation of motor trucks and motor cycles; freight and express charges; street-car fares, not exceeding \$750; postage to Postal Union countries; and other absolutely necessary expenses, including not to exceed \$750 for traveling expenses, \$148,000.

THE LIBRARY OF CONGRESS

Mr. FESS. Mr. President, I shall speak on the amendment in order to be in order from a parliamentary standpoint, but I will discuss a different subject.

Mr. President, not far distant from the Capitol there stands a building which architecturally is one of the finest to be found anywhere in the world. It is occupied by the Library, and contains in many ways the most remarkable collection of books and other volumes housed anywhere under one roof. It is really the Library of Congress but is generally regarded as a national library in view of the fact that it serves more than the Members of Congress. However, it is specifically designated as the "Library of Congress," and I presume it will always so remain.

About 15 years ago, while a Member of the House of Representatives and serving on the Committee on the Library of that body, I took occasion to set out in detail the workings of that great institution. What was said on the floor of the House at that time provoked a great deal of interest which was displayed by the correspondence which ensued. Since that day the Library of Congress has experienced great growth and development; it really has increased by leaps and bounds. When I spoke about it 15 years ago it was the third largest library in the world, from the standpoint of the number of volumes it contained, whereas to-day, when measured by its collection of books and other material, it stands first of all the libraries of the earth.

I am constrained to believe that the workings of the Library are not generally appreciated. I know they are not by the public, and I think they are not fully appreciated even by those who are intimate with the Library—Members of Congress. In fact, what we see when we go over to the building which appears to be the Library is a small part of the Library proper. The most important feature of the Library is not open to the public. It is a veritable hive of industry in expert research; and I desire now to take a little time, really out of order, to point out what the Library has come to be in recent years.

I do not feel that I need apologize for speaking out of order, because yesterday we passed one appropriation bill; the day before we passed one; and doubtless we will pass another to-day, or come very near passing it. So we are really making progress; and I do not believe it will be a waste of time for me to set out what this famous institution has become, especially to the Members of Congress, and, in a certain way, to the people of the United States.

As chairman of the Committee on the Library of Congress, I am occasionally moved to some remarks upon it. I ask your indulgence for some now, for I have recently encountered several characterizations of it so extraordinary in their appreciation that they have caused me to consider whether all of us here quite realize its nature and service as viewed from without.

One such characterization is from a librarian, the head of one of our most efficient State libraries, who, in acknowledging a copy of the Librarian's Report, remarks that the Library of Congress "is one of the wonders of the modern world." Another is from an educator, Mr. Albert Jay Nock, who, in the preface of his *Life of Jefferson*, asserts that—

If 10 per cent of the patriotic pride now frittered away on silly and vicious objects were engaged upon our finest national possession, the Library of Congress, we should have a new civilization. What an incomparable instrument it is!

The third is from a historian, Mr. James Truslow Adams, who, in the epilogue to his *Epic of America*, after reiterating his belief in an "American dream, which is being wrought out in many hearts and many institutions," adds:

Among the latter I often think that the one which best exemplifies the dream is the greatest library in this land of libraries, the Library of Congress. * * * [It] has come straight from the heart of democracy, as it has been taken to it, and I here use it as a symbol of what democracy can accomplish on its own behalf * * * a perfect working-out, in a concrete example, of the American dream.

Now, a librarian's special interest in the Library of Congress is in its service relations with the other libraries of this country. I mention the Librarian's interest because he is the officer of the Library, and his interest would be, in a way, more intense than the interest of a Congressman. The serious investigators, represented by Mr. Nock as an educator, and by Mr. Adams as a historian, are concerned with the Library not as a mere "dream" but as a very substantial reality. Their appreciation of it indicates, therefore, that they find in it material for their research, adequate apparatus as a guide to the use of the material, specialized accommodation, a welcoming hospitality, and an efficient and genial service.

They evidently do; and there is now also a tendency to center at the Library of Congress group projects involving serious research in books and manuscripts. There is even a disposition to commit to the Library the administration of funds for such projects; and a remarkable phenomenon of the past seven years has been the gift from the public of sums of money for them and for others less technical, which can not well be provided for out of the Public Treasury.

May I interpolate that it is not supposed that Congress could vote appropriations for all the things that we ought to have in the Library? But many public-spirited men and women who have money and would like to make good use of it, if the way were opened, would make the contribution to the Library itself for the benefit of the public.

We opened that opportunity through the creation of what we call now the Library Trust Fund Board. The gifts began with the remarkable one from Mrs. Frederic Coolidge of \$100,000 for the auditorium now erected in the Library Building, and of over \$500,000 as an endowment for the promotion of the understanding and appreciation of music and of musicology; but others have followed for various purposes. Our Library of Congress Trust Fund Board now holds nearly three-quarters of a million dollars, with an assurance of an equal sum in addition, the income of which is applicable to them; and from time to time, in this recent era, other sums have been placed at the disposal of the Librarian for immediate application.

Mr. President, the resolution creating the Library of Congress Trust Fund Board was introduced and carried in this Chamber after I became a Member of this body. To-day it has in possession or assurance gifts of nearly \$2,000,000 that have come from generous people who want to assist the Library in its public functions.

No such contribution serves to relieve any appropriation by the Government. On the contrary, it assumes that the Government will still do its full share; and the gift is made on the assumption that it will remit nothing of its interest and duty to provide for the suitable development of the collections, physical accommodation of them, adequate apparatus, and an efficient organization. What induces the gifts is such a belief and the desire to take advantage of the resulting establishment in order to extend its service in directions or particulars to which Government appropriations can not reach. Every such project is creditable in itself, in the interest of learning or culture, appropriate to the Library, and honorable to the Government.

A fine example is the famous Shakespeare temple across the way, which is not the possession of the Federal Government but has been created through the generous employment of a great fund of money to establish the greatest Shakespeare collection found anywhere in the world to-day.

It does not belong to us; it does not belong to the Library, but it is placed near by, and in close cooperation with the Library.

But the phenomenon itself! Gifts from the public—of money—to a governmental agency! Except for the Smithsonian, there is no parallel to it; and the gifts have not been casual or impulsive, for they are not merely from individuals, but also from some of the foundations, whose decisions are reached only after careful investigation.

That phenomenon, and the expressions which I have quoted, have caused me to reflect on whether we have a full appreciation of what the Library is, and also to inquire into certain particulars. Some of those disclosed, and the import of them, were not fully familiar to me, and they may not be to you.

We ourselves—97 per cent of the House, 100 per cent of the Senate—use the Library, and our families and staffs use it, in varying degrees, of course; some of us only for recreative literature, but others for most serious study and investigation; so that during a session the calls upon it from Congress average one every five minutes. A considerable number of us—during the present session over half of the Members of the House and 90 of the 96 Members of the Senate—have used actively its legislative-reference service, which in abstracts, digests, and other compilations furnishes data to be considered in legislation. Personally, I do not know what I would do if it were not for the generous service of the Library when I want information on a subject of legislation that we are considering.

Some of the most important committees—for instance, on Ways and Means and Foreign Relations—require of the Library studies so elaborate that the resulting compilation is printed. There are, of course, some Members and some committees who, not having occasion for such a service, have slight appreciation of it. Those who use it most, however, appreciate it best, and they would emphasize the economy in the small expenditure—only \$70,000 a year—for such a continuing agency, as against the outlay for a succession of agencies created for each particular occasion, and unfamiliar with the collections in the Library and the apparatus.

In addition to our own use, we assume, of course, that there is a considerable use by the various executive departments and scientific bureaus of the Government, whose workers draw upon the Library of Congress as a main reservoir.

I do not know whether my experience is the same as that of the average Senator or not; but when I have some friend whom I want to show Washington, the very first place to which I take him is the Library of Congress; and I prefer to take him in the evening, because I know of nothing more beautiful in all the world than that Library lighted up at 8 o'clock. The significance, however, of the Library in its more general relations comes to our attention only as some visitor to the building may express admiration for it as a monument of architecture, or some constituent may compliment us on the enlightened policy which has induced Congress to develop and maintain such an establishment, or some serious investigator may acknowledge to us the benefit it has been to him, or some commission from abroad may extol its organization and methods. We may recall that, although it has never asked from Congress a dollar for editing, it has produced publications, not merely scholarly expositions of its collections, but also—in the case of the Journals of the Continental Congress, the Records of the Virginia Company, and the Guides to the Law of certain foreign countries— notable contributions to knowledge.

We are conscious, of course, that there are huge collections developing over there, and have just been notified—in the Librarian's Annual Report—that in gross they now exceed those of any other library anywhere in the world; 4,500,000 printed books, a million maps, a million musical compositions, a half million prints, an inestimable number of manuscripts.

I do not want to be misunderstood. While we have a larger library than any other country in the world, it is not

the most important, it is not the most valuable, because such institutions as the British Museum and the Bibliothèque Nationale have manuscripts and books so rare that money could not buy them, and in that degree, of course, we fall far below those libraries. But in range of subject matter we are first in all the world.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER (Mr. SCHUYLER in the chair). Does the Senator from Ohio yield to the Senator from Idaho?

Mr. FESS. I yield.

Mr. BORAH. I wanted to ask the Senator under what authority the Library secures recent books, books which have been out but a short time. Is there any method by which anyone in the Library or any committee goes over the publications and selects recent books?

Mr. FESS. A copy of all American publications is deposited in the Library, of course, in accordance with the copyright law.

Mr. BORAH. I understand that.

Mr. FESS. And we appropriate \$100,000 a year for the general purchase of books. There are also exchanges, of course.

Mr. BORAH. What I have in mind is this: Is there any committee or any person authorized to look over lists of publications, of foreign books, for instance, and select such books as ought to be purchased?

Mr. FESS. Yes; there is a committee in the Library for that very purpose, and they are very remarkably alert. If the Senator wanted a certain book, by communication over the telephone with certain persons—Mr. Morrison is one and Mr. Milne is another—he would not only be able to find whether our Library has the book or not, but he would be able to find what other library in the country had it, if it had been catalogued.

Mr. President, we may even be aware of some particulars of the collection, and we were quite roused to a conviction of what its quality should be when we decided to buy for it the 3,000 fifteenth-century books constituting the Vollbehr collection.

Senators will appreciate that I am making a confession when I say that when these incunabula, the rarest collection we have ever acquired, about 3,000 volumes of fifteenth-century books, were offered our Library I was opposed to their purchase. I said that the Government could not afford to go into the practice of buying anything of a rare nature, that we would have to depend upon some generous capitalist purchasing the rare treasure and presenting it to the Government. I opposed it as the chairman of the Committee on the Library in the Senate, and the chairman of the Committee on the Library in the House opposed it. The Librarian of Congress thought we probably were going too far. Yet when that collection was presented here before the Senate and the House the only note against it was on the part of the persons I have mentioned. Both the Senate and the House overwhelmed us and demanded that we buy it, although it cost over a million dollars.

That indicates the public interest in our Library buying these rare things. For example, there was a Gutenberg Bible in the collection, and I have been told that that Bible alone may be worth \$1,000,000.

We may know that the manuscript collection, though not including any great group of medieval manuscripts, which are a distinction of the British Museum and the Bibliothèque Nationale, does include—what is most appropriate—the greatest amount of source material for American history under any one roof, and that one of the groups within it is an almost complete series of the papers of the Presidents, beginning with Washington and down through Roosevelt, Taft, Wilson, Harding, and Coolidge, and of numerous other statesmen; that, thanks to Mr. John D. Rockefeller, jr., there are available there several million facsimiles of documents from foreign archives essential to the study of our history; and that, thanks to Mr. Harkness, it possesses extraordinary groups of manuscripts relating to the Spanish occupation of

Mexico and Peru. And we may readily believe that no student of any period of our history can afford to ignore it.

We may know similar particulars as to some other of the special collections; for instance, that the collection of maps, originals and facsimiles, is now so embracing that it is the incessant recourse of geographers, historians, and litigants; and that frequently included among the litigants are the United States itself, various of our States, and some foreign countries; that the collection of prints, though in examples of the finer processes inferior to many elsewhere, is so extensive and so varied that it constitutes an invaluable resource for history, for illustration, and for the study of the arts, and is so convincing in these respects that it induced one of our foremost artists and critics—Mr. Joseph Pennell, of Philadelphia—not merely to present to it his own very important collections, but to bequeath to its service his entire and very substantial estate.

We may be aware that the collection of music—one of the three largest in the world—is known to every musicologist both here and abroad, is drawn upon by our serious investigators in music, by conductors of orchestras, by critics, by composers, and by musicians, and is to such an extent an interest of the profession that one group representing it—the Beethoven Association, of New York—regularly contributes to its enrichment.

We can readily believe that among the possessions unsurpassed by any other institution is the collection of official documents of the various States and foreign countries, of transactions and proceedings of learned societies, and of miscellaneous serials; though, unless we had been informed of the fortunate circumstances that explain them, we might be surprised to learn that the collection of Slavic literature in the Library is the most important outside of Russia, and that the 150,000 volumes of Chinese books constitute the most important such assemblage outside of China.

We must, however, realize that a few such preeminences do not assure a whole that is either organic or a perfect and final resource for any scholar; and that it will be only by assiduous application of considerable sums that the collections can be balanced and made organic. At present they are inferior not merely to some of the great libraries abroad in respect to the rarities of literature, but also to some of the libraries in the United States in particular fields of concern to the serious investigator. Except for the purchase of the Vollbehr collection, which was a special matter, the actual expenditure of the Government for the increase of the Library has been pitifully small. This year it is but \$125,000—less than is annually expended by some of our university libraries. Last year it was \$180,000, but was unfortunately reduced by the economy measures. Of the 185,000 items added last year, only one-fourth were due to purchase, the other three-fourths coming from gift, exchange, and copyright deposits—or rather a selection of the last named, for not everything copyrighted is brought up into the Library proper.

The fact that the bulk of the material now in the possession of the Library has come to the Government without cost is, to be sure, a claim for the adequate accommodation and treatment of it. But mere numbers do not establish the rank of a library; and complacency in them must not remit our attention to the systematic development which will require the assiduous application of sums much larger than we are now granting.

Mr. President, it is not necessary to call the attention of Senators to the fact, but I want especially to call the country's attention to what we have in the Library in the form of facilities for study, of which the public are not aware at all. I might say that one of the dreams I had before I ever came to the other House, 22 years ago, was that some day in Washington we would have a great center of research, thoroughly equipped in the way of laboratory and library facilities. I felt that we ought to have a national university, one of the things I had an ambition to see developed. I introduced a bill looking to that end and had hearings and developed a vast mass of facts, but there was some objection in both Houses. We never have been able

to get any final action, and years ago I gave the idea up, abandoned it altogether.

However, we have in Washington a center of investigation that is rapidly coming to equal anything in Europe. In years gone by whenever a man graduated in a great university and wanted to do research work or postgraduate work there was no place for him to carry it on in the United States. He always started for Germany, either for Berlin or some other point in that country, and we had to confess that we did not have the facilities here capable of supporting the desire and ambition of these people. It was that lack I wanted supplied here through this movement.

Mr. HATFIELD. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from West Virginia?

Mr. FESS. I yield to my friend.

Mr. HATFIELD. May I remind the Senator that the great chemical industry which has developed so rapidly was started in one of the great German universities, due to the fact that the lawmaking body of that land supported it financially?

Mr. FESS. That is true. Germany before the war had outlined a policy of industrial growth as a result of which upon every directorate of every great industry they had an officer from some German university, supported by the German Government, to assist the industry in developing along scientific lines. That is one of the fundamental principles of Germany that made her difficult for us to compete with in the open market.

The facilities I have mentioned are now over in the Library. Senators will find alcoves where there are separate tables. They will find little rooms where a student can go by himself away from all noise, not in any way distracted. His books are supplied to him and he can go back and forth day after day to pursue the investigation which he is conducting. Nobody sees those cases. Those are unseen forces that are working in this great national institution.

Also, imperfect as the collections are, they cover a vast range of subject matter for the investigator content with the substance rather than the form, and the facilities for approaching and using them absolutely surpass any afforded by any library anywhere. They include special physical accommodation free from the distractions of the reading room, but also direct personal access to the shelves, where the books are classified by subject, the aid of catalogues exceedingly competent so far as they go, and even the personal counsel of men of special learning in certain fields, experienced in research, and familiar with the collections and the apparatus, who are happy to assist any investigator in the use of them. This last feature is unique in any library. It is due, not to any Government appropriation, but to resources furnished from without in the endowment of the four "chairs" and the group of so-called "consultants," now being maintained, for a demonstration period, by a grant from the General Education Board. That group includes specialists in history, philosophy, economics, sociology, and some other subjects, whose service at the Library is not to do research but to aid in it. It recognizes that, in addition to the technical apparatus and the technicians, there is need of such expert personal mediation between that great mass of material and the public.

I am delighted to have the testimony of Senators that they appreciate what the Library has done. They have testified that they have received an enormous amount of assistance from the Library. I know that the public does not understand it and I fear that many of our best-informed persons connected with the Government are not fully aware of what we are carrying on in the Library under the "chairs" I have mentioned. For example, I had hoped that some day this would be done by the National University, except that the National University would deal with students only. The Library does not pretend to teach, but it does supply the research-worker student or mature investigator with the sources that otherwise he could not have.

The Library is, of course, freely open to the ordinary reader and to the thousands of students from the five uni-

versities at Washington; at times the reading rooms are crowded with them. But the aspect of those rooms gives little idea of the serious investigators who at the moment may be engaged elsewhere in the building, in the special divisions, in the bookstacks, at desks in secluded alcoves, or in the study rooms. There are 52 such study rooms, with a waiting list for them; there will be 150 more in the annex. The need of them becomes apparent from the list of visiting investigators of the past year. They represented every one of our 48 States, and 23 foreign countries; 131 American universities and 30 foreign. But it is not only the visiting investigator that the Library reaches. Through its system of interlibrary loans it will lend an unusual book to a serious investigator who can not come to Washington.

There is a service the public does not really recognize. If the University of California had an advanced student wishing to pursue a certain line of investigation and there is a rare book which the California university does not have, but it happens to be in the Library at Washington, that book can be sent to the library of the University of California for use by that student. That is another library service which this great institution is rendering.

There is a service at large of quite a different sort which may not be so familiar except to our appropriation committees, to whom it is annually explained. That is a service to other libraries as institutions. It is represented by the little card which I hold in my hand; an inconspicuous bit of pasteboard—only 3 inches by 5—but momentous in its relation to the efficiencies, and the economy of libraries. It is a catalogue card, of the size and form now standard in American libraries. It carries the author of the book, the title and imprint, and other bibliographic details, and the subjects to which it relates; and if prepared at the Library of Congress includes also the symbol of the book in the classification of it on the shelves. Recently it adds also the corresponding symbol in another system of classification (the decimal) more largely in use in American libraries.

Now the Library of Congress is preparing such cards for the books in its own collection and printing for its own need 100 copies of each. It prints 57 additional copies for the depository sets which it places in as many different institutions at centers of research, as ultimately a catalogue of the National Library. But it does not stop there. It permits any other library—or individual—to buy copies of the card at the cost of their production and the service of sale and distribution. A library having a copy of the identical book can, therefore, secure in these cards a complete "entry" for it—author and subject—and the proper classification—in brief, look to the Library of Congress to do the work of cataloguing and classification which, before this system, was the most expensive item in the preparation of a book for the reader.

Mr. President, I want the economists in this Chamber to listen to this statement:

There are now nearly 6,000 libraries taking advantage of the privilege. They pay from 2 to 4 cents per card, depending upon the form of the order. Even at those rates the receipts from sales are already about \$250,000 per annum, all of which is covered into the Treasury.

That is the item I want the economists here to recognize. They do not realize that the Library, without appropriation therefor, is printing these cards in its own printery, selling them to the 6,000 libraries over the country, and realizing \$250,000 annually that is remitted to the Treasury of the United States.

The cards sold are, of course, a mere by-product, for the Library of Congress would in any case have to prepare the original entry and print an edition for its own purposes; and the expense of producing the extra copies and of handling the orders is fully met by the charge made. But the benefit to the purchasing libraries far exceeds the sums paid. In direct saving it is certainly six times as much; that is, a million and a half dollars per annum when the sales amount to \$250,000. Incidentally, a million and a half dollars are nearly equal to the entire budget of the Library, if we deduct from its total the offsetting \$250,000 from these

sales and about \$300,000 from copyright fees also covered into the Treasury. In other words, Mr. President, the Library as it is operating now has two income-producing activities. One is the sale of these cards and the other the copyright fees, which amount to about \$300,000 a year.

But the system of sales is only in its infancy. The Library can at present supply only 70 per cent of the cards needed by the popular libraries and only 35 per cent of those needed by the larger research libraries. It has not yet all the books necessary, nor the cataloguers, nor the resources for printing and delivering the cards in season to be of use. Granting all these, it may become in fact a central cataloguing bureau for the entire country. The significance of that may be judged from the statement that if the Library did not exist, it would be worth while for the Government to create such a bureau for the sake of buying the books, cataloguing them, and producing these cards, even if the books were then thrown away; "worth while," I mean, as an appropriate Government function in the interest of the general welfare.

No wonder the librarians of the country look to our Library as a source of power, stand solidly in support of it, and are restive at mention of it as the Library of Congress and not, as they think it, the National Library of the United States. They are quite at liberty to think of it so even though we hold its ancient title.

But they are not the only outside interests which look to it or confide in its abilities. When a group of such interests—legislators, lawyers, economists, sociologists, and librarians—appealed to Congress to institute, maintain, and publish an index to the statutes of the various States, they expected that the Library of Congress would do the work. So when another group concerned with the welfare of the blind appealed to Congress for an appropriation of \$100,000 a year to provide more books in raised type for the use of the adult blind, it was the Library of Congress that was urged as the appropriate agency. These two activities are entirely outside of the scope of the Library's ordinary functions; and yet Congress, in authorizing the work to be done, designated the Library of Congress as the agency to perform it. It may be added that these two projects, now under way, though not requested by the Library but in effect imposed upon it, swell its budget by \$135,000 per annum. When a still further group, represented by the American Council of Learned Societies, determined upon a census of the medieval manuscripts now in the United States, it was the Library of Congress that was asked to administer the grant secured for the purpose from one of the foundations.

Years ago the Library initiated a Union Catalogue—on cards—which should include the titles and locations of all the books of a serious nature in other American libraries, foreseeing the value of such a catalogue to its own cataloguers, to any investigator here, and in its informational service to investigators and librarians who might make inquiry from a distance. After examining the beginnings of this service, Mr. Rockefeller's experts were so impressed with its potential value to research at large that they recommended to him a grant for its development. He made such a grant in a substantial sum, spread over a 5-year period. At the conclusion of the period last August—and I should like to have interested persons note this statement—the repertory included about 8,000,000 titles, with over 12,000,000 locations, of books in American libraries important in research work. What does that mean? It means that through the Union Catalogue, which is prepared by the Library of Congress, one can to-day find where any rare book in existence in America is located. That is a specific service that has never been undertaken in any such dimension by any other library anywhere. Its further development must be from the Government, and is now provided for by a small appropriation. It is an absolutely suitable object for such an expenditure.

There are, however, other activities entirely appropriate to the Library and calculated to extend and diversify its benefits, which, if undertaken, must depend upon contribution from private sources. There are vast gaps within its collections that can be filled only by the gift of material. We can

not ask Congress to make appropriations to supply these omissions; we shall have to depend upon public-spirited individuals to supply the funds. Unlike the universities of the country, the Library has not any body of alumni, with loyal enthusiasms and long purses, who, during the past decade, have so remarkably enriched the libraries of their *almae matres*. The benevolence of Congress toward it seems to be purely corporate; certainly I know of no Member of Congress who has ever made a gift of money to it, nor, except the late Representative Ackerman, any Member who has made a gift of important material. It is, therefore, only to the general public that it may look for such gifts—the connoisseurs, collectors, public-spirited individuals ambitious to do something for culture, and the foundations concerned in promoting research.

The interest of such groups is not spontaneous; it is not secured by professions or promises; it is not secured by mere argument. It must be aroused by some actual and inspiring fact. In the case of the Library of Congress that inspiration, so far as it exists, is represented by the great building over there which Congress determined upon 40 years ago as suitable to the destiny of the library that it proposed; by the additional provision that Congress has from time to time made for the accommodation of the comprehensive collections proper to a national library for the United States; by its decision to provide additional accommodations represented by the present extension and the proposed annex, and by the development which it has fostered of an organization embodying the highest competence in the treatment of the material and the highest and broadest professional standards in the service rendered. If at any time the policy of Congress should seem to change, or its interest weaken, or its standards for the Library be lowered, the inflow of gifts would abruptly cease; and what is more important, there would ensue a profound disappointment and disheartenment among the libraries of the country and the members of the learned professions that the Library which was in line to be their main resource was to fail in its mission; and likewise every patriot would suffer a feeling of disappointment that our Government could not, after all, be depended upon to maintain fitly and to develop amply an institution which is the Nation's unique contribution to culture. If such disillusionment should ever occur, there would be no further gifts made to the Library.

Whatever, therefore, the stress of the moment, we can not afford to impair the integrity of that institution or its efficiency as an instrument of Congress or as an agency for the public good. We must not cripple its activities; we must not halt its development.

To halt the normal development of any institution of learning is a serious matter; to halt the development of a library is an expensive one. Reduce the funds for purchase, and you postpone opportunities which may never recur, or recur only at greater cost later. Reduce the funds for the orderly treatment of the material, and you postpone work which must be done at a greater cost later. Restrict the funds for service, and you cripple the service at a time when both Congress and the public have most urgent need for it. For the "depression" has not lessened the demands upon our libraries; it has increased them. In the Library of Congress the calls for books alone have increased 30 per cent during the past year. The funds provided for the purchase of books have never been adequate and a reduction such as that of last year is disastrous. It not merely deprives the readers and research workers who depend upon the Library, but limits the benefit it confers upon other libraries through the production of catalogue cards. The orderly treatment of the material is far in arrears. The binding urgently necessary would alone require an appropriation of \$600,000. An unbound book in use means that to the cost of the binding will later be added the cost of repair. Publications important as contributions to knowledge or even as guides to the Library's collection have had to be suspended because of the inadequacy of the funds for printing. And every division of the Library proper is under-

manned, struggling with the accumulations that mount daily, even without additional purchases, and with demands from Congress and the public that can not be ignored.

The postponement last year, over the protest of the chairman of the Committee on the Library, of an appropriation to start construction of the annex was most unfortunate. When seven years ago the need became obvious, the Library had 3,000,000 printed books; it has now 4,500,000, with every other class of material increased in proportion. The congestion is now serious. In certain ranges books stand two and even three deep on the shelves. Tons of material have frequently to be shifted to make room in the subject classes for incoming accessions. Valuable material has to be stored in the cellar and in buildings on Second Street, where it is subject to damp or excessive heat and is for the time being inaccessible. Numerous employees have to carry on their work in portions of the bookstacks under artificial light and ventilation and separated from their coworkers and the apparatus upon which they depend. It is necessary to place the files of the Copyright Office in the public corridors, and in that and the other self-supporting division—the card division—the cramped conditions not merely impede the operations but increase their expense.

We are discouraging new projects of construction. But the annex to the Library is not a new project. The purchase of the site was authorized nearly five years ago, the construction of the building nearly three years ago. The authorization is complete. The site has been acquired, the plans for the building have been prepared, and in the extension of the main building, now nearing completion, accommodation is being provided for an electric plant which will serve the annex also. So far, therefore, from being a new project, the annex is one long pending and in a measure under way.

It is a project at Washington; but that does not mean that the benefit of the expenditure will be confined largely to the District of Columbia. In the minor case of the extension the contracts have involved 76 concerns in 28 different cities. The granite, for instance—some of it replacement, some newly quarried in Vermont—was sent to Minnesota to be cut or recut.

There seems every justification, therefore, even within our present policies as to public works, for proceeding at once with the annex itself. We are committed to it; it can not be avoided; costs are now low; and the expenditure will work benefits directly in line with the other efforts of the Government in behalf of industry.

All such matters are, of course, for the Committee on Appropriations, with whom rests the current welfare of the Library; but its general welfare is a concern of the Library Committee. I am not criticizing the committee, because with that committee rests the current welfare of the Library; but its general welfare is a concern of the Library Committee, of which I am chairman. As chairman of the latter I have a freedom and a duty to express my understanding of it, my hopes, and, if any, my apprehensions. I am especially impelled to do so when I consider the numerous tokens of the public appreciation of it, faith in it, and reliance upon Congress to enable it to fulfill its manifest destiny. I know of no greater contribution this Government has made to the public than the Library of Congress.

Mr. President, I ask to have printed in the *RECORD* at the end of my remarks a brief statement of the budget of the Library.

There being no objection, the statement was ordered to be printed in the *RECORD*, as follows:

Budget of the Library—The appropriations for 1932-33
(Current maintenance and increase)

The total, including the Copyright Office and sums disbursed by the Architect of the Capitol, approximately.....	\$2,233,000
Less deduction for furloughs, say.....	130,000
	<hr/> 2,103,000

Less offsetting receipts covered into the Treasury, if equal to those of 1932:

From sales of catalogue cards.....	\$244,000
From copyright fees.....	280,000
	<hr/> \$524,000
	1,579,000

Less 2 items of expenditure not chargeable to the operations of the Library proper, viz:

The index to State legislation.....	25,000
Books for the blind.....	90,000
	<hr/> 115,000

Net total..... 1,464,000

Which must cover all expenses of maintenance, including that of the building itself (in cubic area equal to the Capitol), equipment, repairs, the increase of the collections, and printing and binding.

Comparison with other libraries is impracticable, because there is no other identical in its nature or operations. The reference department of the New York Public Library (in the main building on Fifth Avenue) offers some analogies. Its budget for 1931 was \$1,622,382. (For the branches the city appropriated independently \$1,776,025.)

Harvard spends regularly \$70,000 for law books alone, and in a recent year spent \$400,000 on the increase of its general collection. Duke University is understood to spend about \$170,000 a year for the purpose.

Considered from another angle: The above \$1,464,000 (for the Library of Congress) is about the sum which several cities—Boston, Cleveland, Chicago—appropriate annually for their public-library systems.

Mr. JOHNSON. Mr. President, after the very excellent and the very timely address of the Senator from Ohio, it would be like painting the lily or gilding refined gold to endeavor to add to it. It is not as litterateur nor as philosopher, except as a world of hard knocks makes one, nor as economist, nor as research student, but simply as an ordinary official with varying, everyday problems, without resources, and without a sufficient force wholly in detail to enable the work to be done, that I add my mite of praise to what has been said by the Senator from Ohio of the work that has been so well and so efficiently performed by the Congressional Library.

I have found, Mr. President, as to the things which I sought to do—things that I could not do because perhaps of lack of ability in that direction; things that I could not accomplish because of a very limited office force—that I had but to apply in many instances to the Library of Congress, and there aid was forthcoming, and always willingly forthcoming, and always the information was efficiently furnished.

So I take this opportunity thus very briefly, Mr. President, to congratulate the Senator from Ohio upon what he has said, to congratulate the Library upon the work it is doing, and to express thus publicly my appreciation of what it has done for me in the problems that have been mine, and my thanks for its constant readiness to aid in the solution of those problems.

WILLIAM E. B. GRANT

Mr. TYDINGS. Mr. President, when the calendar was being considered this morning I was necessarily absent.

There is a bill on the calendar, House bill 9166, which I ask unanimous consent to be taken from the calendar and now considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Senate proceeded to consider the bill (H. R. 9166) for the relief of William E. B. Grant, which had been reported from the Committee on Naval Affairs with an amendment, on page 1, line 5, after the words "by the" to strike out "Secretary of the Navy" and insert "Secretary of War," so as to make the bill read:

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to examine, on the basis of facts and figures to be found and reported to him by the Secretary of War, the claim of William E. B. Grant, warrant machinist, United States Navy, retired, for the amount withheld from him under section 4 of the act entitled "An act to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone," approved August 24, 1912, as amended, from April 7, 1909, to May 3, 1917,

and from November 29, 1919, to February 28, 1922, the periods during which he was employed by the Isthmian Canal Commission or the Panama Canal.

Mr. TYDINGS. Mr. President, this is simply a bill to authorize an inquiry into the status of William E. B. Grant, owing to a conflict of law between an act passed regulating employees in the Canal Zone and the Regular Army act. It costs no money. It simply asks that the facts in the case be adduced and sent to the Senate.

Mr. KING. May I ask the Senator by whom the investigation is to be made?

Mr. TYDINGS. By the Secretary of War. The bill has the approval of the Navy Department, in which branch of the service Mr. Grant formerly was employed.

Mr. KING. I have no objection.

Mr. REED. Mr. President, if the Senator will pardon me, I think the investigation should be made by the Comptroller General after a report from the Secretary of War.

Mr. TYDINGS. The Secretary of War, however, is the officer who has custody of the records giving the facts and figures.

Mr. McNARY. Mr. President, what is the request of the Senator from Maryland?

Mr. TYDINGS. I asked that the bill to which I have referred be taken from the calendar and passed. I was absent when it was brought up this morning, and it was temporarily laid aside during my absence.

Mr. McNARY. I have just come into the Chamber, and I desire to know what the bill is.

The PRESIDING OFFICER. The clerk will read the bill for the information of the Senator.

The Chief Clerk again read the bill.

Mr. McNARY. Is there a favorable report upon the bill, and favorable action?

Mr. TYDINGS. The committee was unanimous, and the Navy Department recommended it.

Mr. McNARY. I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1011 will be indefinitely postponed.

DEPARTMENT OF INTERIOR APPROPRIATIONS

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 13710) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1934, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SMOOT. I move that the Senate insist upon its amendments, agree to the conference asked by the House, and that the conferees on the part of the Senate may be appointed by the Chair.

The motion was agreed to; and Mr. SMOOT, Mr. ODDIE, Mr. NYE, Mr. McKELLAR, and Mr. KENDRICK were appointed conferees on the part of the Senate.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 13872) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1934, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McNARY. I move that the Senate insist upon its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and Mr. McNARY, Mr. KEYES, Mr. CAPPER, Mr. KENDRICK, and Mr. SMITH were appointed conferees on the part of the Senate.

WAR DEPARTMENT APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 14199) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1934, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

The PRESIDENT pro tempore. The clerk will read the bill.

The Chief Clerk proceeded to read the bill.

Mr. McNARY. Mr. President, a number of Senators are absent from the Chamber, and I promised to suggest the absence of a quorum when the Senate returned to the bill. I do so now.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Dale	Keyes	Schuyler
Austin	Davis	King	Sheppard
Bailey	Dickinson	La Follette	Shipstead
Bankhead	Dill	Lewis	Shortridge
Barkley	Fess	Logan	Smith
Bingham	Fletcher	McGill	Smoot
Black	Frazier	McKellar	Steiwer
Blaine	George	McNary	Stephens
Borah	Glass	Metcalf	Swanson
Bratton	Glenn	Moses	Thomas, Idaho
Brookhart	Goldsborough	Neely	Thomas, Okla.
Bulky	Gore	Norbeck	Townsend
Bulow	Grammer	Norris	Trammell
Byrnes	Hale	Nye	Tydings
Capper	Harrison	Oddie	Vandenberg
Caraway	Hastings	Patterson	Wagner
Clark	Hatfield	Pittman	Walcott
Connally	Hayden	Reed	Walsh, Mass.
Coolidge	Hebert	Reynolds	Walsh, Mont.
Copeland	Hull	Robinson, Ark.	Watson
Costigan	Johnson	Robinson, Ind.	White
Couzens	Kean	Russell	
Cutting	Kendrick	Schall	

The PRESIDENT pro tempore. Ninety Senators have answered to their names. A quorum is present.

The first amendment of the committee was, on page 5, line 7, to strike out "\$125,000" and insert in lieu thereof "\$148,000," so as to read:

CONTINGENT EXPENSES, WAR DEPARTMENT

For stationery; purchase of professional and scientific books, law books, including their exchange; books of reference, pamphlets, periodicals, newspapers, maps; typewriting and adding machines, and other labor-saving devices, including their repair and exchange; furniture and repairs to same; carpets, matting, linoleum, filing equipment, photo supplies, towels, ice, brooms, soap, sponges; maintenance, repair, and operation of motor trucks and motor cycles; freight and express charges; street-car fares, not exceeding \$750; postage to Postal Union countries; and other absolutely necessary expenses, including not to exceed \$750 for traveling expenses, \$148,000.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The next amendment was, under the subhead "General Staff Corps—Contingencies, Military Intelligence Division," on page 6, line 25, after the word "information," to strike out "\$19,990" and insert "\$39,990," so as to read:

For contingent expenses of the Military Intelligence Division, General Staff Corps, and of the military attachés at the United States embassies and legations abroad, including the purchase of law books, professional books of reference, and subscriptions to newspapers and periodicals; for the hire of interpreters, special agents, and guides, and for such other purposes as the Secretary of War may deem proper, including \$5,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign states at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, \$39,990, to be expended under the direction of the Secretary of War.

The amendment was agreed to.

The next amendment was, under the subhead "Army War College," on page 7, line 16, after the figures "\$63,927," to strike out the colon and the following proviso:

Provided, That no appropriation contained in this act shall be increased by transfer from another appropriation in consequence of section 317 of Part II of the legislative appropriation act, fiscal year 1933, as continued by section 4 of the Treasury and Post

Office Departments appropriation act, fiscal year 1934, for the purposes of making a larger amount available for or on account of personal services or for increasing a limitation on any appropriation.

The amendment was agreed to.

The next amendment was, under the subhead "Welfare of enlisted men," on page 8, line 23, before the word "balances" to insert "unobligated," and on page 9, line 2, after the word "and," to strike out "such fund, including interest accruals," and insert "the principal sum of such fund," so as to read:

For the equipment and conduct of school, reading, lunch, and amusement rooms, service clubs, chapels, gymnasiums, and libraries, including periodicals and other publications and subscriptions for newspapers, salaries and travel of civilians employed in the hostess and library services, transportation of books and equipment for these services, rental of films, purchase of slides for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established, and travel (not to exceed \$825), \$68,778: *Provided*, That the Secretary of War shall deposit in the Treasury of the United States the unobligated balances on January 12, 1933, to the credit of the funds entitled "Other funds" and "Stars and Stripes," the money so deposited to be credited to a fund to be entitled "Recreation fund, Army," which shall draw interest at the rate of 3 per cent per annum, and the principal sum of such fund shall not be subject to withdrawal except in time of war, when it shall be available for expenditure by the Secretary of War for the recreation, amusement, comfort, contentment, and health of the enlisted personnel of the Military Establishment.

The amendment was agreed to.

The next amendment was, under the subhead "Finance Department—Pay, etc., of the Army," on page 9, line 22, after the word "duty," to strike out "\$2,143" and insert "\$3,810, and the appropriation for pay of the Army, fiscal year 1933, shall be available for the increased pay and allowances of one retired officer on active duty in addition to the two retired officers specified in the War Department act for that fiscal year," so as to read:

For pay of not to exceed an average of 12,000 commissioned officers, \$28,871,420; pay of officers, National Guard, \$100; pay of warrant officers, \$1,450,300; aviation increase to commissioned and warrant officers of the Army, not to exceed \$1,608,093; additional pay to officers for length of service, \$7,440,760; pay of enlisted men of the line and staff, not including the Philippine Scouts, \$51,247,821; pay of enlisted men of National Guard, \$100; aviation increase to enlisted men of the Army, \$588,279; pay of enlisted men of the Philippine Scouts, \$1,050,446; additional pay for length of service to enlisted men, \$3,667,172; pay of the officers on the retired list, \$8,563,492; increased pay to retired officers on active duty, \$3,810, and the appropriation for pay of the Army, fiscal year 1933, shall be available for the increased pay and allowances of one retired officer on active duty in addition to the two retired officers specified in the War Department act for that fiscal year, etc.

The amendment was agreed to.

The next amendment was, on page 10, line 20, after the words "in all," to strike out "\$128,450,827" and insert "\$128,452,494," and in line 24, after the word "discharges," to strike out "\$128,165,827" and insert "\$128,167,494," so as to read:

In all, \$128,452,494, less \$285,000 to be supplied by the Secretary of War for this purpose from funds received during the fiscal year 1934 from the purchase by enlisted men of the Army of their discharges, \$128,167,494; and the money herein appropriated for "Pay, and so forth, of the Army" shall be accounted for as one fund:

The amendment was agreed to.

The next amendment was, on page 12, after line 18, to strike out:

No part of this appropriation shall be used to pay any officer on the retired list whose income is in excess of \$3,000 per annum.

The amendment was agreed to.

The next amendment was, on page 13, line 7, after the word "reports," to strike out "\$2,671,465" and insert "\$2,921,465," so as to read:

Regular supplies of the Army: Regular supplies of the Quartermaster Corps, including their care and protection; stoves required for the use of the Army for heating offices, hospitals, barracks, and quarters, and recruiting stations, and United States disciplinary barracks; also ranges, stoves, coffee roasters, and appliances for cooking and serving food at posts in the field and

when traveling, and repair and maintenance of such heating and cooking appliances; authorized issues of candles and matches; for post bakery and bake-oven equipment and apparatus; for ice for issue to organizations of enlisted men and offices at such places as the Secretary of War may determine, and for preservation of stores; authorized issues of soap, toilet paper, and towels; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries, and for schools for noncommissioned officers; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; for purchase of commercial newspapers, market reports, and so forth; for the tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; for forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, for the horses of the several regiments of Cavalry and batteries of Artillery and such companies of Infantry and Scouts as may be mounted, and for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian, Philippine, and Panama Canal Departments, and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation; for the purchase of implements and hire of labor for harvesting hay on military reservations; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Army, certificates for discharged soldiers, and for printing department orders and reports, \$2,921,465.

Mr. CONNALLY. Mr. President, the item on page 18 represents an increase of about \$250,000, and I think we ought to have some explanation as to why that is recommended.

Mr. REED. Mr. President, the House made a terrific cut under the Budget. It was shown to us by the Chief of Staff that it would be wholly impossible to provide the necessary forage for the animals of the Army under the figure the House had fixed, that it would be sheer cruelty to animals to try to do it.

Last year the appropriation for that item was \$3,904,926. The Budget this year cut that about \$400,000 and recommended \$3,471,529. The House cut that down \$800,000, to \$2,671,465. We want to cut it as far as is possible, but it would not be humane to cut the animals' ration further than it has been cut. For that reason the committee restored part of what the House cut out.

Mr. CONNALLY. Mr. President, the forage for the animals is cheaper now than it has ever been.

Mr. REED. That is the reason why we are able to recommend a sum a million dollars less than that of last year.

Mr. CONNALLY. Did the committee just take the request of the Chief of Staff and put the figures as he desired them?

Mr. REED. We considered the request when he made it, and it seemed to all of us to be entirely reasonable. The committee was unanimous in acquiescing.

Mr. CONNALLY. As a matter of fact, the Army is doing away with cavalry and mechanizing, so why should they need more forage now than they did last year?

Mr. REED. They do not. The appropriation is \$1,000,000 less than the same item last year.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 18, line 16, after the words "operation of," to strike out "existing laundries" and insert "laundries, existing or now under construction,"; in line 22, after the words "equipment of," to strike out "existing dry-cleaning plants" and insert "dry-cleaning plants, existing or now under construction,"; and on page 19, line 17, after the word "reasons," to strike out "\$5,194,045" and insert "\$5,694,045," so as to read:

Clothing and equipage: For cloth, woolsens, materials, and for the purchase and manufacture of clothing for the Army, including retired enlisted men when ordered to active duty, for issue and for sale; for payment of commutation of clothing due to warrant officers of the mine planter service and to enlisted men; for altering and fitting clothing and washing and cleaning when necessary; for operation of laundries, existing or now under construction, including purchase and repair of laundry machinery therefor; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; for equipment and repair of equipment of dry-cleaning plants,

existing or now under construction, salvage and sorting storehouses, hat repairing shops, shoe repair shops, clothing repair shops, and garbage reduction works; for equipage, including authorized issues of toilet articles, barbers' and tailors' materials, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment, and issue of housewives to the Army; for expenses of packing and handling and similar necessities; for a suit of citizen's outer clothing and when necessary an overcoat, the cost of all not to exceed \$30, to be issued to each soldier discharged otherwise than honorably, to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison, and to each enlisted man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, and so forth, destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, \$5,694,045, of which amount not exceeding \$60,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1934.

Mr. CONNALLY. Mr. President, I want to ask the Senator from Pennsylvania why the clothing and equipage allowance was increased \$500,000 over the House figure.

Mr. REED. That is in a somewhat similar class with the forage item. Last year the appropriation was \$6,300,000.

Mr. CONNALLY. That is, for clothing?

Mr. REED. For clothing mostly. In fixing that figure at \$6,300,000 the committee last year expected that that would be supplemented by drawing from the reserve war stocks left over from the Great War. Those have now been exhausted, and the Budget Bureau thought they had made the utmost cut when they recommended for this year \$6,775,579, but the House cut under that nearly \$600,000. Of course, we could have the Army go barefooted, as Lee's troops did and as Sherman's troops did, but we do not want to do that. We do not think we have reached that point. The figure fixed by the Senate committee, which the Senator will see in the bill, \$5,694,045, will allow the issuance of not more than one uniform per enlisted man per year, and certainly that is the irreducible minimum.

Mr. CONNALLY. Mr. President, the Senator from Pennsylvania makes an eloquent appeal about the soldiers going barefooted. Nobody expects the soldiers to go barefooted, and there is no danger of the soldiers going barefooted.

I want to call the attention of the Senate and of the Senator from Pennsylvania to some information I have here from the War Department itself. The Senate committee has increased the figures over the House figures \$500,000 for clothing. These figures I have show that the War Department on the 30th of June, 1932, had on hand woolen breeches, E. M., service breeches, 1,535,514 pairs. That refers to woolen breeches.

It had on hand also coats, E. M., service, woolen, O. D.—that is olive drab, I suppose—1,521,882. They say they had an excess and surplus of 643,000 coats last June. Here is the whole list of supplies of the various kinds they have on hand.

Let us see about these poor barefooted soldiers about whom the Senator from Pennsylvania is talking, these "Valley Forge" soldiers. Let us see how many shoes they have on hand. I read from figures furnished by the War Department:

Shoes, E. M., garrison, 314,000 pairs—two pairs for every soldier in the Army now.

Shoes, E. M., service, 514,000 pairs.

Mr. REED. It ought to be twice that, Mr. President.

Mr. CONNALLY. If the Senator from Pennsylvania has his way, it will be.

Mr. REED. It certainly will be.

Mr. CONNALLY. How many enlisted men are there in the Army now?

Mr. REED. One hundred and eighteen thousand seven hundred and fifty now, but if war were declared, there would be over a million.

Mr. CONNALLY. Of course, if war were declared.

Mr. REED. That is what we keep this Army for, to be prepared for war.

Mr. CONNALLY. Is the Senator looking for war anywhere within the next six months?

Mr. REED. I do not think any of us were looking for war six months before we got into the last war.

Mr. CONNALLY. The Senator knows that it is absolutely foolish to stock up now, in time of peace, with enough shoes and enough clothes for war time, because by the time the war comes, the shoes and the clothes will be out of date and will be rotting on the shelves.

Mr. REED. We are not planning to stock up. We are only planning not to cut into our reserve stocks.

Mr. CONNALLY. I just want the Senate to know what it is asked to do. Of course, if it wants to squander the people's money, it may do so. The committees of Congress, particularly the Military and Naval Affairs Committees, have a habit of doing what the Secretary of War and the Chief of Staff, and the Secretary of the Navy and the Chief of Operations, tell them to do.

Let us see about these barefooted soldiers. They have now four pairs of shoes apiece. Let us see about socks, how they are supplied with socks. First I shall read the statement as to cotton socks. Of course, nobody would want them to wear cotton socks in the wintertime. But they have on hand 1,076,000 cotton socks.

Mr. REED. I think it is probably more than that. I think we have that many pair.

Mr. CONNALLY. I was speaking of pairs; if the Senator wants to be exact I can give him the exact figures. I thought the Senator was aware that socks go in pairs. [Laughter.]

Let us see about woolen socks. Socks, stocking type—the Senator will know what the “stocking type” means. I suppose they are the long-legged socks for these barefooted soldiers.

Socks, stocking type, woolen, heavy, E. M. socks: They have 609,000 pairs, and there are only 117,000 or 118,000 men in the Army. They have only about five pairs for each soldier already on hand.

Mr. REED. Mr. President, does the Senator from Texas consider five pairs of socks too many for an individual to own?

Mr. CONNALLY. The Senator's remarks are rather facetious. Let us see about some more socks.

Socks, stocking type, woolen, light: The others I read about were the heavy socks, these are the light socks. There are on hand 2,095,000 pairs for 117,000 soldiers. I am wondering whether the people who want to sell woolen goods and woolen socks are not receiving more consideration in the action of the committee in appropriating more money to buy more clothes and more socks and more shoes than is the Treasury of the United States.

We talk about economy, of the fact that we are going to cut down expenses, that we are going to economize. We are asked to appropriate \$500,000 more than the House allowed. The House bill carries over \$5,000,000 for new clothing. I do not know how many socks that would buy.

Mr. President, these items I have cited are samples of what the Army has on hand now of these supplies, and the Senator from Pennsylvania, in making the statement that it is necessary to stock up now in war supplies of clothing, assumes an attitude which can not be defended from the standpoint of the Treasury and the taxpayers.

Everybody knows that if war should come we would immediately give orders for these additional stocks. The Army discards every year large supplies of clothing because they say it is out of date, it is old, they do not want to dress the soldiers in it, and I think that the Senate ought to defeat this amendment and let the Army get along a little while longer on the stocks of goods and supplies it has on hand.

I understand that it is the purpose, in this appropriation bill, to authorize the purchase of millions of yards of additional woolen goods to be later manufactured into clothing.

I submit these remarks with the hope that the Senate will defeat this amendment. If we are to talk about economy all the time, and never do anything about it, we are not going to get anywhere in balancing the Budget or reducing expenditures; and if we are going simply to O. K. the requests of all the department heads, we shall never balance the

Budget, and we shall be putting a heavier load on the taxpayers every day.

Mr. REED. Mr. President, just a word in reply. In the first place, we are not O. K.ing the requests of the officials of the War Department, because, as I have shown, the estimate sent down by the Budget was more than \$1,000,000 greater than the amount the Senate committee allows.

In the next place, we are not, as the Senator says, stocking up with these supplies. On the contrary, we have drawn from the surplus stocks every year since the World War, and our stocks are less each year than they were the year before. It has been the policy to maintain barely enough to equip a million troops in case of outbreak of war.

We learned by sad experience in the last war what happened when we tried to outfit men who were suddenly called to the colors. I do not know of any case in the last war where our men were compelled literally to go barefoot; but I know that in my own regiment we taught equitation by putting the men on wooden barrels to teach them how to sit on a horse, and when our horses came we had neither bridles nor saddles. We taught the men to ride using rope halters which we made ourselves. They were compelled to ride bareback, and had at least one man killed, and I do not know how many hurt, in my own outfit, as a direct consequence of that absence of supplies.

We are trying as hard as we can to avoid that kind of mistake in the next emergency; and we are keeping, with much struggle, enough to clothe and equip an army of a million men in case war should break out.

The old-fashioned uniforms, made in war time out of shoddy—and they are poor enough things; the Senate would be ashamed to see our present-day Army dressed in these uniforms, which are kept back in the war-time emergency stock, but they will cover a man, and they are uniform clothing. That is what shows in these figures which have been read by the Senator from Texas.

Mr. CONNALLY. Mr. President, the Senator from Pennsylvania, I hope, does not mean to say that all of the clothing the Army now has is the shoddy of the war time?

Mr. REED. All of the war reserve is, and the balance is barely enough to meet the day-to-day requirements.

Mr. CONNALLY. But the Senator said the balance is enough to maintain an army of a million men.

Mr. REED. No. The war-time surplus is enough to clothe a million men. The balance for daily issue is just enough to meet our day-to-day needs. Let me say to the Senator that I am just as anxious as he is to cut the appropriation down. It is not fair to say that we are not trying to economize. The bill we have reported shows \$106,000,000 less than the same bill showed last year.

Mr. CONNALLY. But most of it is river and harbor work.

Mr. REED. There is \$26,000,000 of it which is savings in the military expenditures. We are spending \$26,000,000 less on military items in this bill than in last year's bill.

Mr. CONNALLY. I do not want to take a moment of the time of the Senate in useless discussion, but I submit that the Senator from Pennsylvania in his argument a moment ago created the impression on me—and if I am in error, I beg his pardon—that the plans of the War Department called for keeping on hand supplies sufficient to equip a million men because of a fear of war. If that be true—

Mr. REED rose.

Mr. CONNALLY. I yield to the Senator.

Mr. REED. The Senator is exactly right in the way he has stated it now. That is what we call the war reserve.

Mr. CONNALLY. I thought the Senator meant the old reserve clothing left over from the World War.

Mr. REED. That is what it is.

Mr. CONNALLY. Well, which is it? Is it reserve from the last war or for the next war? I want to be fair with the Senator.

Mr. REED. I must be stupid, because I thought I had made myself clear. What we are doing is saving supplies that we had left over from the last war with which to equip a million men who would be called upon for service in the next war.

Mr. CONNALLY. That material is of the kind that would be serviceable and suitable for the next war?

Mr. REED. No; but it will be enough to let us get along for a while, and that is all.

Mr. CONNALLY. My understanding is that the Army has been selling to the Red Cross and giving away for nothing for years the clothing which was not suitable for military use, and I commend it for doing so. The Senator in one instance said we are keeping the old war stuff from the World War that is not fit for the soldiers to wear, not suitable for their use, and in the next breath he said that we are saving it for use in the next war. The point I am trying to make is whether it is not true that the plans of the Chief of Staff and the War Department are to keep on hand all the time supplies sufficient for a million men. That is what I am protesting against. In this time, when we are all debt ridden and tax ridden and when the Treasury is "busted" to the tune of \$4,000,000,000, I can see no justification whatever for going into the Treasury and spending more money than we need to provision and equip and supply an Army of 1,000,000 men when we have only an Army of 117,000 or 118,000 men. I do not call that business. I do not call it economy. I do not call it military science.

Mr. KING. Mr. President, I have learned during my experience in the Senate that opposition to appropriations for military and naval purposes is barren of results. Upon numerous occasions during the past 10 or 15 years I have endeavored to secure reductions in various bills carrying appropriations for the War and Navy Departments. Other Senators who have attacked these appropriation bills have encountered stubborn opposition, and their efforts have usually been in vain. During the years referred to the attention of Congress has frequently been challenged to the mounting expenses of the Government, and when appeals were made for economies and for reductions in Federal expenditures, not infrequently statements were made that when the Army and Navy appropriations were before Congress for consideration material reductions would be made. Notwithstanding these prophesies of reductions, when military and naval bills made their appearance it was discovered that the promised economies were not apparent. The military budget of the United States is now and has been for a number of years entirely too large. We have heard much during the past few months about economies and a balanced Budget, but, unfortunately, the results thus far are most disappointing.

Owing to the great increase in Federal expenses during the past few years, many persons have reached the conclusion that Congress will not inaugurate governmental reforms or reduce Federal appropriations. That belief is in part responsible for the willingness upon the part of some and the demand upon the part of others that the authority be vested in the President of the United States to reorganize the departments and administrative machinery of the Government and make drastic cuts in governmental expenditures. A few months ago we frequently heard statements to the effect that the appropriations for the next fiscal year should be reduced between \$750,000,000 and \$1,000,000,000, and it was claimed by many that the military budget could be reduced \$200,000,000. While there have been some reductions in some of the appropriation bills thus far reported, it is now apparent that the net result will be most unsatisfactory and that Congress will adjourn without making provision to balance the Budget. Treasury reports indicate a very great reduction in revenue receipts, and we have no reason to believe that the revenues of the Government will be sufficient to meet the appropriations which will be carried in the bills passed before Congress adjourns.

Mr. President, in my opinion the appropriation bills thus far reported carry in the aggregate sums entirely too large. We are not living up to the promises made, and the result will be an enormous deficit for the next fiscal year. Many reductions could be made in the pending bill which, if brought about, would not prove disadvantageous to our country. In my opinion, many economies could be effected in the War Department. There is too much machinery in the War Department; there are too many unnecessary ex-

penses; there is too large a civilian personnel. I recall, two or three years ago, making inquiry as to the number of civilian employees in the War Department, as well as in the Navy Department, and my recollection is that in the two departments there were approximately 60,000 civilian employees.

Mr. President, in periods of depression such as this, the Federal Government should practice the most rigid economy and go to the very extremes in lightening the burdens which rest upon the people. It seems incredible that in the present situation the Federal expenditures should be approximately \$5,000,000,000. It is only a few years ago when the entire expenses of the Government were less than a billion dollars annually, but the appropriations which were made for this fiscal year for the Army and Navy are approximately \$700,000,000. We are now brought face to face with a situation which indicates that the military and naval expenses for the next fiscal year will approach the same stupendous figure.

I appreciate that the Senator from Pennsylvania [Mr. REED], chairman of the Military Affairs Committee, has endeavored to circumscribe some of the activities of the War Department and to bring within more reasonable limits the demands of the officials for Federal appropriations. Notwithstanding his efforts in that behalf, I respectfully insist that the bill before us carries a sum entirely too large and should be subjected to reductions of between twenty-five and fifty million dollars.

Mr. President, examination of the military expenses of the Government before as well as those since the war furnish convincing proof that our budgets for military and naval expenses have been entirely too large. In 1914 the total appropriation for the War Department was \$194,000,000, and the Navy Department received \$144,000,000. In 1915 the appropriation for the War Department was \$188,000,000 and for the Navy, \$150,000,000. In 1916 the War Department received \$189,000,000 and the Navy, \$153,000,000. In 1917—and in that year the United States entered the World War—the appropriation for the War Department was \$443,000,000 and the Navy Department received \$320,000,000. Of course, during the war and for several years immediately following the war it was imperative that very much larger appropriations be made. But in 1923, after demobilization of our Armies, the appropriation for the War Department was \$359,000,000 and the Navy, \$300,000,000.

In 1924 the appropriations for the Army and Navy amounted to \$680,000,000. In 1925 the Army appropriation bill carried \$341,000,000 and the Navy received \$278,000,000. In 1926 the appropriations for the Army were \$364,000,000 and for the Navy \$324,000,000. In 1927 and 1928 the appropriations were substantially the same for these departments. In 1929 for the War Department there was appropriated \$466,000,000 and for the Navy Department \$394,000,000. It is only proper to state that a part of the appropriations for the Army in each of the years referred to were to cover nonmilitary activities. In 1930 the War Department appropriations amounted to \$382,000,000, and substantially the same appropriations were made for 1931 and 1932.

Mr. McKELLAR. Mr. President—

The PRESIDENT pro tempore. Does the Senator yield to the Senator from Tennessee?

Mr. KING. Yes.

Mr. McKELLAR. The Senator recalls, of course, that under the economy provision and the Bratton amendment, so-called, 5 per cent will be taken off the entire amount.

Mr. KING. The Senator knows that the measure to which he refers has not yet passed the House, and its ultimate fate may be attended with some uncertainty.

Mr. McKELLAR. It unquestionably will be passed, in my judgment.

Mr. KING. Five per cent approximately of \$700,000,000, and that is the approximate amount which the War and Navy bills will carry for the next fiscal year, is only \$35,000,000. The Senator from Tennessee has been earnest in his efforts to reduce Federal expenses but I think he will admit

that even if \$35,000,000 shall be deducted from the War and Navy appropriations, the balance will be unnecessarily large and will constitute a considerable part of the aggregate appropriations of the Government for all purposes.

Mr. McKELLAR. This reduction of \$35,000,000 is much better than I expected out of this particular appropriation bill, and I feel delighted that we are to have even that much economy.

Mr. KING. However, the reduction of \$35,000,000 is from the appropriation bills of the Army and Navy and not the Army alone. The reduction from the Army appropriation bill by reason of the Bratton amendment will probably not exceed \$15,000,000.

Mr. McKELLAR. May I say that I think if the Senator had undergone what I have undergone for the last year in seeking these economies, he would look at it as I do, that this is quite a saving.

Mr. KING. I know the Senator has courageously battled against the mounting Federal expenses, and I have been glad to associate myself with him during the past 10 or 15 years in efforts to reduce Federal expenses and to restrain departments and bureaus from their aggressive activities which call for increased expenses.

Mr. McKELLAR. No; not in every instance. I agree with the Senator that he has made a wonderful fight, but the Senator will recall that last year the economies secured by the House and Senate amounted to \$334,000,000 more than the President had recommended in his Budget message. This saving of \$334,000,000 was quite a saving. This year our saving under the amount of the President's recommendation will probably be not less than \$200,000,000. These savings, while not as large as they ought to be, are certainly no mean savings. Five hundred and thirty-four million dollars is a tremendous sum and constitutes about one-fifth or one-sixth of the ordinary aggregate expense of our Government.

Mr. KING. I agree with the Senator that notwithstanding that Congress has not appropriated as much as has been recommended by the executive departments my recollection is that the appropriations made by Congress since the Budget law was enacted have been more than \$500,000,000 below the recommendations of the Chief Executives. But notwithstanding that Congress has appropriated less than recommended by the President there have been large deficits for the past two years and there will be a deficit of approximately \$2,000,000,000 for this fiscal year.

Mr. President, there are two forces operating in the country. A powerful force for economy and a very potent movement for increased expenditures. Obviously, if Congress yields to the latter demand a time may soon arrive when the credit of the Government may be impaired. There is an analogy between governments upon the one hand and corporations and individuals upon the other. Governments must balance their budget, governments must limit their appropriations to their revenues, failing which the day will arrive when their credit will be impaired.

I repeat that under no circumstances must a course be pursued that will affect in any way the credit of the Government. If the financial standing of the Government should be weakened, the effect upon the entire business and industrial structure of the country would be calamitous. The Government will soon be faced with the necessity of meeting maturing obligations aggregating billions of dollars. In addition it must be in a position to find markets for bonds which it will be compelled to issue to meet deficits for the current fiscal year and perhaps for the next fiscal year. The bonded indebtedness of the Federal Government has been increased to the extent of several billions of dollars during the past two or three years. Every possible effort should be made to reduce to the lowest possible point the expenditures of the Government. Even if that shall be done, it is obvious that additional revenues must be obtained in order that an equilibrium shall be established between income and expenditure.

Mr. President, pledges were made by both political parties that the Government expenses would be drastically cut in

order that the Federal Budget should be balanced. After examining the present bill I have reached the conclusion that it does not effect any important reductions in the military organization of the United States.

The nonmilitary activities of the War Department, it is true, have been substantially reduced; but as I read the bill before us, the appropriations for military purposes are within a million dollars of the appropriation for the present fiscal year. Comparing the appropriation for 1933 with the amount carried in this bill as reported to the House there is an apparent reduction of \$26,933,000 for the military activities of the War Department. The appropriations for 1933, however, included more than \$15,000,000 which was made available in the emergency relief and construction act which passed last year. The 1933 appropriations also included approximately \$10,000,000 which was not expended by reason of the economy act. My recollection is that the Senator from Pennsylvania [Mr. REED] in his colloquy with the Senator from Texas [Mr. CONNALLY] alluded to that reduction.

The Senate appropriations, moreover, have increased by \$1,598,482 the amount carried by the bill as it passed the House. Therefore, taking these several factors into consideration, the net result is that the appropriations for military activities in this bill as presented to the Senate are about \$800,000 over the actual appropriations for 1933, if my computations are correct.

During the debate in the House the opposition to further reducing military expenditures was based in large part on assertions attributed to General MacArthur, the Chief of Staff, and repeated many times, as I recall, in the debate on the floor. These assertions, briefly summarized, were as follows:

1. That the United States already has accomplished a degree of reduction in its land forces that stands as a unique example among world powers.
2. That practically all other nations are increasing their military strengths.
3. That the larger nations are increasing their outlays for military preparedness.
4. That the United States is now the seventeenth ranking nation in military strength in the world.

These statements, Mr. President, can be easily checked by reference to the official figures of the military strength and military expenditures published in the League of Nations Armaments Yearbook, which I have here upon my desk, and also by figures from authentic documents issued by the principal foreign governments. Inasmuch as armaments are to some extent relative, it is highly important to know whether foreign nations are, in fact, increasing their military strength and increasing their armament expenditures.

Mr. President, in determining what our military policy shall be and what military and naval expenditures shall be made, it is not absolutely essential that we shall adopt the military policy of other nations. The situation in the United States is different from that of other nations. We occupy a position geographically so different from other nations that it is conceded, I think, that our country is impregnable to attack from any other nation. Aside from the wealth of our country and its material resources, its physical position gives to it a strategic preeminence from a military and naval standpoint that is denied to any other country in the world. Great Britain and Japan are islands, not continents. They are dependent upon other lands for food supplies, raw materials, and commodities for the well-being and, indeed, the life of their people. They lack resources which the United States as well as some other countries possess. In their insular position it must be conceded by all that they lack advantages in many ways which are enjoyed by this country. Reasons which might constrain France and Germany and Great Britain and other European nations to adopt certain military and naval policies may not be invoked to justify the United States adopting similar policies.

I repeat that the United States is in no danger whatever from invasion by any nation on earth. Our position makes us invulnerable to attack. Moreover, the people of the United States are not belligerent; they desire peace and the

happiness and welfare of the people of all nations. They covet no territory; they have no imperialistic ambitions; they desire, I believe, to cooperate in every proper way with the nations of the earth in the promotion of international peace and good will. There may be loose and thoughtless talk at times about the inferior naval strength of the United States as compared with Great Britain, or its lack of naval strength compared with the resources of Japan; but in my opinion, Mr. President, there is no foundation for such views. It is unthinkable that there should be any contest between Great Britain and the United States. It has been said that the presence of Canada at our very door is a guaranty of continued peace between Great Britain and the United States. Some have said that Canada is a shield which, in effect, is a protection for both Governments, and others have indicated that in a sense it might be regarded as a hostage of and for both Governments. Mr. President, I have not infrequently said that the United States and Great Britain constitute a mighty force for world peace and for the development of democratic ideals and democratic institutions.

There is much in common between the United States and Mexico and the other peoples to the south of us. The Latin American countries have not forgotten that they derived inspiration from this Republic in the days of Monroe and that the doctrine then proclaimed by the United States was a shield and protection to them in the hour of their weakness. In my opinion, the United States and Latin America will be drawn closer together, and the ties between them will grow stronger as the years go by.

Mr. President, I have not been in sympathy with the rather chauvinistic attitude taken by some, and their demands for increased appropriations for military purposes. I repeat when I say that our country is in no danger from any power or any combination of nations. With the protection afforded by the Atlantic and Pacific, the fleets of any or all nations might strike in vain against our shores. Admiral Sims, one of our greatest naval experts, has stated that no nation could successfully land its troops upon our shores, and in effect declared that the United States was invulnerable against any possible combination of forces that attempted its invasion. He as well as other naval experts referred to the development of the submarine and the airplane, and pointed out that with these additional defensive forces it fortified his statement.

Mr. President, I return to the statement made by General MacArthur, to which I have referred. I refer to the statement "that the United States has already accomplished a degree of reduction that stands as a unique example among the world powers." I submit that this is not borne out by the official league figures submitted by it and by some of the principal military powers. In order to demonstrate that the United States has reduced its military strength, this officer assumes, if I understand his position, that the military forces of the United States are maintained at their authorized strength of 280,000 men. As a matter of fact, Congress has never maintained the authorized strength of the Army as provided in the national defense act since 1922.

Each of the great powers has likewise contended that it has brought about a military reduction in its armed strength. An examination of the military strength of the various nations, beginning with the year 1913, will, I believe, refute the statements of General MacArthur. In 1913 the Army of the United States consisted of 92,000 officers and men, and in 1930 and 1931 it was 139,000 officers and men.

In 1914 the regular British Army, not including British troops in India, consisted of 174,000 officers and men. In 1931, according to the official figures furnished by the British Government to the League of Nations, the British Army consisted of only 144,522 officers and men.

In the case of France the size of the peace-time French Army in 1913 was 790,000 officers and men. In 1930, according to the figures furnished to the League of Nations, the French Army consisted of 561,320 officers and men.

The Senator from Pennsylvania [Mr. REED] a few moments ago stated that our Army has been reduced until it

numbers now 118,000 men. I might add, by way of parenthesis, that we have an effective Marine Corps amounting to approximately 18,000 men. It is true that the marines are under the Navy, but they constitute an important part of our military strength, whether in offensive or defensive activities. I submit that the record does not confirm the view that the foreign powers have increased their armed forces in recent years. I shall, a moment later, refer to Japan and show that owing to recent military activities her present military forces have increased. The British Army has been steadily reduced since 1923 from 170,800 to 148,800. The French Army has also been reduced from 733,707 in 1925 to 522,737 in 1930. The latter figure represents the actual number of men provided for in the budget, but my information is that the figure is less than the number of men authorized under existing law.

I am also advised, Mr. President, that in a number of countries the budget strength does not truly register the actual number of men in the military forces, because in preparing the budget it is designed to provide for contingencies, and it is expected that fewer men will be in the military forces than the budget authorizes and makes provision for.

The Italian Army has remained approximately stationary since 1924 at 251,000 officers and men.

Presented in tabulated form, the figures of the armies of Great Britain, France, and Italy are as follows:

Postwar strength of principal armies¹

	1923	1924	1925	1926	1927	1928	1929	1930	1931
Great Britain (active army) officers and men	170,800	161,600	160,600	159,400	166,500	153,500	150,500	148,900	148,800
France (active army) officers and men			733,707	687,113	672,122	617,533	596,200	522,737	
Italy (active army) officers and men		251,125	250,965	231,513	231,418	250,470	251,170	251,170	

¹ Source: League of Nations Armaments Yearbook, special edition, 1932.

Mr. President, I again repeat that there is no foundation for the claim so often made by those who are urging large appropriations for the Army and Navy that other nations are increasing their armies. We are not infrequently inundated by propaganda to the effect that our Nation is in danger of attack, that it is impotent to defend our shores or to protect the American people. This spirit found expression some time ago in the attack made upon the President of the United States by the Navy League. President Hoover was charged with "abysmal ignorance" with respect to the condition of our Navy. President Hoover in his address before the International Chamber of Commerce in May, 1931, declared that—

Vast armament continues not only a burden upon the economic recuperation of the world but of even more consequence, the constant threats and fears which arise from it are a serious contribution to all forms of instability, whether social, political, or economic.

He also said:

* * * The destruction of life and property, the great tax burdens, and the social and political instability which resulted from the Great War have had large responsibility in the origins of the present depression * * *. Of all proposals for the economic rehabilitation of the world I know of none which compares in necessity or importance with the successful result of that conference.

The President was referring to the naval conference at which it was hoped a plan would be agreed upon that would materially limit the naval armaments of the world, and thus reduce the military burdens of the people.

I recall that General Pershing stated in substance that the lessons of the war should convince everybody of the danger of nations "striding up and down the earth armed to the teeth," and he said:

Isn't it, then, time for an awakening among enlightened peoples to the end that the leading powers may reach some rational agreement which would not only relieve the world of this terrible financial load but which in itself would be a long step toward the prevention of war?

I commend these statements to Senators. They are pertinent in this discussion to-day. The United States, because of its preeminence in the world, its great resources, its wealth, its physical and moral strength, should take the lead in bringing about relief from the burdens upon the world imposed by military armaments. Moreover in view of the rôle which it played in securing the adoption of the Kellogg-Briand pact it should assume a position of leadership in seeking to remove the causes of war and in effecting organizations and tribunals for the settlement of all international controversies by peaceful means rather than upon sanguinary battlefields.

Mr. President, Japan is practically the only important exception to the statement that the principal foreign powers have not increased their armed strength in recent years. Since the Manchurian controversy, which broke out in December, 1931, the number of men serving in the Japanese Army has been considerably increased.

Mr. President, upon a number of occasions since I have been in the Senate I have referred to Japan in complimentary terms. I have referred to the progress that she has made during the past 50 or 60 years. Her progress has been so extraordinary as to excite the commendation and praise of the people of the world. Her people have proven that they have great ability and capacity for extraordinary achievements in all of the fields of human endeavor. The relations existing between the United States and Japan have been most cordial, and our Government, particularly under the administration of President Roosevelt, manifested a friendly interest in the welfare of Japan and her people. Notwithstanding the very cordial relations between the Russian Government and the United States dating from the early days of this Republic, when the Russian-Japanese conflict was in progress, the people of the United States generally were sympathetic toward Japan and were not displeased when the issues of the conflict were favorable to Japan. President Roosevelt, as Senators will recall, played an important part in the peace negotiations between the two belligerents, and subsequently his course, as well as that of his successors, was such as to furnish convincing proof to the Japanese people that they had a friend in the United States. The belief was current among the American people that Japan was marching forward toward the heights of genuine democratic government. As one who has entertained a feeling of friendship toward Japan and who has desired that the spirit of good will and amity should exist between the two countries, I can not help but experience a feeling of regret over the developments in Manchuria.

Japan for a number of years has been one of the great powers in the world. Her statesmen have played important rôles in the councils of the nations, and her influence has been felt in determining world policies. Japan has reason to look with gratification upon the advancement which she has made, and the high place which she has occupied among the nations of the earth.

I am sure the people of the United States and of other nations would regret to see Japan pursue a policy that would affect the cordial relations that have existed between the Japanese Government and other nations. It is to be hoped that Japan will not forget the regard in which she has been held and the friendships which have been formed.

The horrors of the World War are still before us. The calamities which follow misunderstandings and conflicts should be warnings against the adoption of policies that may cause their repetition. The world is in the shadows; the summits of world peace are not far beyond, if the peoples will forget their pathetic ancestralisms and in a spirit of fellowship and cooperation march toward the summits which are bathed in the sunlight of a new day.

Mr. President, the official figures do not reveal that the principal foreign powers have increased their outlays for military preparedness during the last few years. On the contrary, the figures show that virtually all of the important foreign countries, with the exception of Japan, have actually decreased their military budgets, particularly since the world

depression. This statement must be qualified by the fact that, as compared with expenditures before the war, most of the European nations are spending more to-day upon their armaments—military, naval, and air—than they did in 1913.

As compared with 1913, however, the military expenditures of the United States have increased, relatively, more than those of any other power. The following table shows the percentage of increase in expenditures for land, naval, and air armaments for the principal powers since 1913:

	1913	1930	Percentage of increase (+) or decrease (—)
United States.....	\$244,600,000	\$727,700,000	+197
Japan.....	95,500,000	232,100,000	+142
Italy.....	179,100,000	258,900,000	+44
Great Britain.....	375,100,000	535,000,000	+42
France.....	348,700,000	455,300,000	+30
Russia.....	447,700,000	579,400,000	+30
Germany.....	463,300,000	170,400,000	-63

I pause, Mr. President, to make a brief reference to Russia. In recent conferences dealing with disarmament Mr. Litvinoff, the Russian representative, submitted proposals which appear to have been made in good faith and which, if accepted, would have been distinct contributions to a limitation in military armaments. In my opinion the governments then represented were too indifferent to his proposals and also failed to react to the demands of the masses of the people of the world for the adoption of policies looking to disarmament.

The British military budget has been reduced each year since 1927. The budget for the British Army for 1931 amounted to £39,930,000. In 1932 the figure was reduced to £36,488,000, a total net reduction of £2,832,000, or approximately \$16,500,000. The largest part of this reduction came in the category of effective services, or what we would call in our Budget "military" activities as distinct from "nonmilitary" activities.

In the case of France the budget for the year 1933 shows a reduction of approximately \$38,000,000 from the preceding year. The 1932 army budget was 9,393,000,000 francs, as compared with 8,398,000,000 francs for 1933.

Japan is the only great power which has actually increased its military budget during the past year.

The statement that the United States ranks seventeenth among the military nations of the world is based on an estimate of the trained man power available in countries which employ the conscript system. It includes not only the active army but also all of the trained reserves who are liable for military service under the laws of the different countries, regardless of the age or military fitness of men liable to military service.

Thus, according to the table submitted by General MacArthur, Russia is accredited with having an army of 18,817,000 men. Of course, such figures are absurd. When in Russia a few years ago, I conferred with the Soviet leaders and many of the military commanders, including Trotzky, who was at that time head of the red army, which was then 500,000 men. Since then there has been no material increase in Russia's military forces. The Armaments Yearbook, to which I have referred, states that the Russian active army is only 562,000 men. These various units are scattered from the Pacific Ocean to the Baltic Sea and from the White Sea to the Persian boundaries. It would be difficult to mobilize these scattered forces, and, with the limited transportation facilities of Russia, the obstacles to such mobilization are increased.

Theoretically compulsory military service in Russia begins at the age of 19 and lasts until the close of the fortieth year. Obviously men who have been out of active training for nearly 20 years are not available for immediate service in time of war. In the case of France and other countries with the conscript system, the duration of military service is fixed at 27 years, to include all male citizens between the ages of 20 and 47; and that is not an accurate measure of military strength. According to these tables, for example, Greece,

with 583,450 men "liable to military service," is stronger than Great Britain, with only 547,000 in its active and reserve forces.

It is questionable whether military strength can be compared merely in terms of man power, whether trained or not. In the case of the United States, our industrial and economic facilities, our financial power, our ability to transform from peace-time to war-time production, and our geographical isolation are far more important elements of strength than mere man power, and must logically be taken into account in determining our capacity for self-defense.

The present organization of our Army, moreover, which is based on the theory of the immediate mobilization of man power and industrial resources, raises the question of whether the national defense act is really designed for purposes of self-defense or whether it is intended to provide the man power which would be required in a war waged on the same scale and fought on the same principles as the World War.

The military organization provided in the national defense act apparently assumes that the United States will participate in another World War in Europe or Asia. It assumes that mass armies will be employed in the future as in the past, that offensive as well as defensive operations are required, and that mobilization of the man power of the Nation is still essential to the defense of the United States, regardless of our relative geographical isolation, as long as there is any possibility of being drawn into a general war. On the strength of this theory, the creation of a small but well-trained mobile force, equipped to meet a sudden emergency, has been sacrificed to the task of training a citizen reserve and building up a vast Officers' Reserve Corps, which is officially regarded as inadequate to meet the requirements of mobilization.

In many respects the military problem of the United States is similar to that of Australia, which could be adequately defended, according to some military experts, by a small mobile force equipped to repel invasion. In both cases, invasion would come from overseas, and in both cases defensive rather than offensive operations are the natural rôle of the Army—provided the primary object is to resist invasion. The primary object of the national defense act, however, is not confined to defense of American territory. The proposal of the American delegation at Geneva, nevertheless, and several official utterances of President Hoover seek to establish just such a limited objective. In his speech accepting renomination for President, Mr. Hoover declared:

I insist upon an Army and Navy of a strength which guarantees that no foreign soldier will land on American soil.

This, it is pointed out, is a clear declaration of the object of the armed forces, compatible with our international commitments and within the military means. An army organized solely to defend American soil would be in full accord with the antiwar pact; it would not require offensive preparations, and it would not be materially affected by the size or organization of foreign armies.

Mr. President, I regret that genuine reduction has not been made in the various appropriation bills which have been submitted, and particularly in the measure now before us. The Senator from Pennsylvania, I have no doubt, has resisted appeals from military sources in favor of larger appropriations. In what I have said I have not intended any criticism of my friend. However, I do believe that in view of the great depression existing and the want and privation found in every part of our land, and in view of our diminishing revenues and the imperative demands for appropriations for relief and to meet the unemployment and to aid in reviving business and lifting our country out of the shadows, we should have found in this and in a number of other bills opportunities for material and important reductions.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 19, line 17.

Mr. CONNALLY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The Chief Clerk called the roll, and the following Senators answered to their names:

Austin	Cutting	Keyes	Robinson, Ind.
Bailey	Dill	King	Russell
Bankhead	Fess	La Follette	Schuyler
Barkley	Fletcher	Lewis	Sheppard
Bingham	Frazier	McGill	Shipstead
Blaine	George	McKellar	Smith
Bulkeley	Glass	McNary	Steiwer
Bulow	Gore	Metcalf	Trammell
Byrnes	Grammer	Moses	Tydings
Capper	Hale	Neely	Vandenberg
Caraway	Harrison	Norris	Wagner
Clark	Hastings	Nye	Walsh, Mass.
Connally	Hatfield	Oddie	Walsh, Mont.
Coolidge	Hayden	Patterson	Watson
Copeland	Hebert	Reed	White
Costigan	Johnson	Reynolds	
Couzens	Kendrick	Robinson, Ark.	

The PRESIDING OFFICER. Sixty-six Senators having answered to their names, there is a quorum present. The clerk will state the amendment.

The CHIEF CLERK. The question is on the committee amendment on page 19, line 17, where the committee proposed to strike out "\$5,194,045" and to insert in lieu thereof "\$5,694,045."

Mr. CONNALLY. I ask for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

On a division, the amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The next amendment of the committee was, on page 21, to strike out lines 10, 11, 12, and 13, as follows:

Provided further, That not to exceed \$2,522,880 shall be available for expenditures for or on account of the transportation of persons pursuant to the provisions of this appropriation.

Mr. CONNALLY. Mr. President, the amendment which has just been voted on will result in a cost to the taxpayers of \$500,000 which they need not justly bear. The pending bill increases the House figures about a million and a half dollars.

Economy will not get anywhere, in this bill or any other bill, so long as Senators absent themselves from the Chamber, do not hear the discussions, do not know anything about what they are voting on, and come rushing into the Chamber when there is a quorum call and vote with the committee. Of course, it is natural for them to vote with the committee.

Mr. President, we have been debating the economy bill here for the last week, and Senators with much heat have been voting to cut departmental salaries, and I voted with them; I think those salaries ought to be cut along with our own.

Now, when we have an opportunity by one vote to cut off \$500,000 for clothing in the Army, when it has been shown that the Army has a supply of clothing that will last it more than a year, perhaps more than two or three years, Senators come in and back up the committee and vote to add \$500,000 for an absolutely useless item.

This Congress is not going to economize. This Senate is not going to economize. Economy in the newspapers and noneconomy in the voting. We talk a lot about economy on the stump and in the newspapers, and when we have a chance to economize we strike a blow at the taxpayers, we raid the Treasury, and maintain a clothing supply for a million men when we have only 117,000 in the whole Army. We vote some more subsidies to the clothing manufacturers and woolen manufacturers so they can stock up the Army with supplies and the moths can eat them up before they will ever be used, so they will go out of style and the Army will not deign to wear them. But what does the Senate care about the taxpayers? I have made a fight on this amendment and tried to save half a million dollars. Apparently there is no use to try.

We asked for the yeas and nays and there were not 10 Senators in the Chamber who were willing to go on record.

If the proposal had been to cut off $1\frac{2}{3}$ per cent from somebody's pay, Senators would have rushed out here and had a yea and nay vote, but when we try to cut off \$500,000 in one lump sum, Senators will not let us have a roll call. Not 10 Senators were willing to have a roll call. The Chair nods his head in verification. There were 49 Senators present and one-fifth would be 10, all that were necessary to grant the yeas and nays.

Mr. President, I move reconsideration of the item. I want to get the Senate on record once as to whether Senators are willing to have a gag rule here and not come out and vote on these items. I want the Record to show. I want the roll call to show who are here and who are refusing to give us the yeas and nays on this proposal to save the taxpayers \$500,000.

Mr. REED. Mr. President, the bill carries \$106,000,000 less than the Army bill of last year. The particular item which the Senator from Texas has been discussing carries \$1,000,000 less than the Budget estimate for the item this year. We have reduced the Budget on this single item over a million dollars. I think we have gone a long way toward saving the taxpayers' money.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Maryland?

Mr. REED. Certainly.

Mr. TYDINGS. May I ask the Senator from Pennsylvania, who is chairman of the Committee on Military Affairs and has the bill in charge, a question or two?

Mr. REED. Certainly.

Mr. TYDINGS. Is it true that we have sufficient clothing and shoes on hand now to last the Army another year?

Mr. REED. If we draw upon the reserve stock. We have a reserve, as the Senator knows, and have had ever since the World War, that will give the first needed equipment to an Army of a million men. We have tried to keep on hand enough clothing, saddles, ordnance supplies, rifles, and so forth, for that Army of 1,000,000 men. These uniforms are the old war-time uniforms. We are not making new uniforms and we are not adding to that reserve supply which comprises the old uniforms similar to those the Senator had in his regiment during the war.

Mr. TYDINGS. May I ask the Senator what proportion of the stock we now have in reserve the \$500,000 would buy?

Mr. REED. It will not buy any of that. By adding \$500,000 to this item we will be able to issue one uniform to each enlisted man in the course of the next fiscal year, and it seemed to the committee that that was the irreducible minimum.

Mr. TYDINGS. As I understand it, in the reserve supply now there are uniforms for 1,000,000 men?

Mr. REED. That is right.

Mr. TYDINGS. And shoes for a million men?

Mr. REED. That is right.

Mr. TYDINGS. So that the \$500,000 would buy, roughly, enough equipment to supply about 100,000 men.

Mr. REED. No; the \$500,000 added to the amount the House provided will be enough to meet our current needs for this year.

Mr. TYDINGS. I do not think I have made my question clear, and it is rather difficult for me to do so. What I am attempting to draw from the Senator is this: How much goods can be purchased with this money as compared with the goods now in reserve?

Mr. REED. That is difficult to say. The question of the goods now in reserve—

Mr. TYDINGS. I mean in numbers of suits and numbers of shoes.

Mr. REED. That again is difficult to say. The \$500,000 added to what the House gave will furnish only the current needs of the Army for the year.

Mr. TYDINGS. That is for 118,000 men?

Mr. REED. Yes; 118,000 men.

Mr. TYDINGS. This appropriation is equal to one-twelfth of the reserve?

Mr. REED. The total of this year's appropriation will enable us to buy about 10 per cent as much as we now have in reserve.

Mr. TYDINGS. That is what I wanted to know. If this item is cut off, how much of the 10 per cent will be lost that we can not purchase?

Mr. REED. The item as it came from the House was \$5,194,000. We added \$600,000 to that, which is about 12 per cent.

Mr. TYDINGS. Then as I understand it we have enough reserve of clothing and shoes to equip 1,000,000 men.

Mr. REED. That is right.

Mr. TYDINGS. Therefore if this appropriation is not made we will have to draw between 5 and 10 per cent of our reserve to take care of the current needs for this year?

Mr. REED. Yes; I should think so.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Kentucky?

Mr. REED. Certainly.

Mr. BARKLEY. As I understand it, at the end of the fiscal year for which the appropriation is made, instead of having enough clothing and shoes for 1,000,000 men, we would have enough in storage for about 900,000.

Mr. REED. Something like that, but there is this factor in it, and I think it is worthy of consideration. The uniforms that are kept in the reserve supply are the war-time uniforms made of shoddy, of a different design from that which is being worn at the present time by the enlisted men. They are all the old high-collar style. We would have to use them in case of war. The modern uniform is different. Consequently they would be most undesirable for issue at this time.

Mr. BARKLEY. I was wondering why that reserve of old uniforms has been kept now for about 13 years instead of having been worn off gradually by having it drawn on from year to year so we could keep up the reserve in current uniforms.

Mr. REED. We have drawn on the reserve to a very great extent. We came out of the World War with millions and millions of uniforms. Part of those have been issued to troops, part of them have been sold as surplus stores. The Senator will see traces of them on the streets of every city every day. The reserve for 1,000,000 men is what is left. It has been our policy for 15 years not to encroach upon it. We learned in the last war the unhappy consequences of trying to train an army without any equipment.

Mr. BARKLEY. How much longer will we be able to preserve these old uniforms?

Mr. REED. They are very well kept. They will keep a long time.

Mr. BARKLEY. Is there any disintegration that is now apparent in them?

Mr. REED. I do not think so. They are all new uniforms. They have not been worn.

Mr. BARKLEY. Where are they being kept?

Mr. REED. By the Quartermaster's Department, stored in quartermaster reserve depots scattered all over the country.

Mr. CONNALLY. Mr. President, I beg Senators' pardon for taking up any more time, but the colloquy between the Senator from Pennsylvania [Mr. REED] and the Senator from Maryland [Mr. TYDINGS] brought out something I am sure the Senate did not understand. The Senator from Pennsylvania answered the Senator from Maryland that if this item is not carried in the bill it will result in a 10 per cent reduction in the reserve supply. That is not accurate. That is not correct. As a matter of fact the bill as it passed the House carried \$5,194,000 for clothing to supplement the supplies now on hand for a million men. I am not objecting to the House figure of \$5,194,000, but I am objecting to the Senate committee's adding \$500,000 more. If we vote down the Senate committee amendment and adhere to the House figures we shall have clothing on hand for a million men and in addition we shall spend \$5,194,000 more. The amend-

ment I am opposing is the addition of \$500,000 to the House item.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Kentucky?

Mr. CONNALLY. I yield.

Mr. BARKLEY. How much do the uniforms cost?

Mr. CONNALLY. I do not know.

Mr. BARKLEY. Will the Senator permit me to ask the Senator from Pennsylvania?

Mr. CONNALLY. I yield for that purpose.

Mr. BARKLEY. Can the Senator from Pennsylvania tell me how much the uniforms cost?

Mr. REED. It is very difficult to say. I do not know. A good many of them are made by the Army itself. It buys the material and makes them up at its own quartermaster factory, or else it issues the material to contractors who make up the uniforms out of the Government material.

Mr. BARKLEY. If the Senator's reply is correct that \$500,000 would buy uniforms for 100,000 men, that would indicate about \$5 a suit, which, I think, is rather low.

Mr. REED. I did not mean to give that impression.

Mr. BARKLEY. That is the way I understood the Senator.

Mr. REED. Oh, no; I did not mean to give that impression. The \$5,600,000 will furnish enough clothing for a year for 118,000 men.

Mr. CONNALLY. How much is that per capita?

Mr. REED. It is not very difficult to divide it.

Mr. CONNALLY. The Senator from Colorado [Mr. COTTIGAN] does me the service of suggesting that it is something over \$50 apiece for an Army of 117,000 men. The amount in the bill as it passed the House provides for over \$5,000,000 in addition to the reserve supplies for 1,000,000 men. I suppose they must have three or four apiece, because—

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. TYDINGS. In order to be fair, I think it is only proper to state that that includes underclothes and blankets, in fact, the soldier's total allowance for clothing, shoes, and all.

Mr. CONNALLY. I understand that. That only accentuates it. That simply means that in addition to uniforms they have enough socks, enough underclothes, and enough of everything else for a million men. That only aggravates the situation. There are enough shoes for a million men. We have all of these supplies on hand now, enough for a million men. The House appropriated \$5,194,000 in addition, to which I am not objecting; but the Senate Committee on Appropriations, with its extravagant ideas, adds \$500,000 more.

We have been cutting other appropriation bills 10 per cent. The Senate committee is adding 10 per cent to this item. I have no personal interest in this matter, but I think this is an item that is indefensible. I have selected it because I want to test the Senate. I want to know whether there is any use of standing here and fighting for economy. If not, if we can not get a test vote anywhere along the line, then we might as well admit to the country that a fight for economy is futile. Senators will vote as they please. I think they should vote to reconsider the item of \$500,000 and give us a roll call on it. If the Senate wants to approve the item, let it do so. I want Senators to know what they are doing. The Senate is about to squander \$500,000 in order that woolen manufacturers may sell some woolen goods to the Army when it does not need it.

Mr. TRAMMELL. Mr. President, if I have not miscalculated, the amount carried in the House bill provides over \$400 each for each soldier for this purpose. I understand there is \$5,194,000 carried in the House bill for this purpose. Dividing that by 120,000 soldiers, we have \$400 for each soldier for this purpose. The proposal is to add \$50 for each soldier. It seems to me it is the height of extravagance, and I heartily sympathize with the position of the Senator from Texas [Mr. CONNALLY].

I was present when the viva voce vote was taken and voted with the Senator from Texas. I hope that we will reconsider the matter and eliminate the item.

Mr. REED. Mr. President, I simply want to invite the attention of the Senator from Florida to the mathematics which he has just given the Senate. If we take the amount recommended by the Senate committee and divide it by 118,000, the result is \$49 per capita—not \$490 but \$49 per capita—and that includes uniforms, underclothing, shoes, blankets, and all that sort of thing, supplied by the Quartermaster General. That is the situation.

Mr. NORRIS. May I interrupt the Senator?

The PRESIDING OFFICER. The Senator from Illinois has the floor. Does he yield to the Senator from Nebraska?

Mr. LEWIS. I yield.

Mr. NORRIS. I want to make a suggestion to the Senator from Pennsylvania, who has delayed our work considerably now. This is an important amendment, so regarded by several Senators, particularly the Senator from Texas [Mr. CONNALLY]. If we could have had a roll call, it would have been disposed of long ago, but we are in danger now of having two roll calls instead of one; at least we are going to have one, and we could have one on the direct amendment just as easily as having a roll call on the motion to reconsider. Now I want to suggest to the Senator from Pennsylvania—

Mr. REED. If the Senator will permit me, I am not opposing a roll call. I am very confident the Senate will sustain the committee.

Mr. NORRIS. I understand that; probably the Senator is correct; but the Senator from Texas has asked that we have a roll call; he wants a record vote on the amendment. Why does not the Senator, in order to bring that about, consent to a reconsideration, with the understanding that we will immediately have a ye-a-and-nay vote on the amendment? Would that be agreeable?

Mr. REED. Yes; I am perfectly willing that that shall be done.

Mr. NORRIS. I ask unanimous consent to reconsider the action agreeing to the amendment, and that we then proceed to vote on the amendment itself by the yeas and nays.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Is there objection?

Mr. LEWIS. Mr. President, I am not sure of my parliamentary position. While a motion has been made for a reconsideration, may I offer some evidence as to the justification of the item itself? I should like to have the opinion of the chairman of the Committee on Military Affairs—and I am honored by being a member of that committee—as to whether or not the War Department and the Quartermaster General's office and other officials of our Government who have to do with this question involving this increase which the eminent Senator from Texas finds at variance with his judgment, have not recommended it as necessary?

Mr. REED. That is quite true. They recommended a million dollars more than we are giving them. The Appropriations Committee of the Senate in reporting this amendment recommend a cut of a million dollars under the Budget estimate.

Mr. LEWIS. That is the information I sought.

The PRESIDING OFFICER. Is there objection to the request for unanimous consent proposed by the Senator from Nebraska? The Chair hears none, and the vote whereby the amendment was reconsidered is agreed to. The Secretary will state the amendment for the information of the Senate, and will then call the roll.

The CHIEF CLERK. On page 19, line 17, the committee proposes to strike out "\$5,194,045" and insert "\$5,694,045."

The PRESIDING OFFICER. The question is on agreeing to the amendment, and on that question the clerk will call the roll.

The Chief Clerk called the roll.

Mr. WALSH of Montana. I wish to announce that my colleague [Mr. WHEELER] is absent to-day on account of illness. Were he present he would vote "nay."

Mr. KING (after having voted in the negative). I find that I have a pair with the junior Senator from New Jersey [Mr. BARBOUR]. I transfer that pair to the junior Senator from West Virginia [Mr. NEELY], and allow my vote to stand.

Mr. McKELLAR (after having voted in the negative). I inquire if the junior Senator from Delaware [Mr. TOWNSEND] has voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. McKELLAR. I have a pair with that Senator, which I transfer to the Senator from Nevada [Mr. PITTMAN], and allow my vote to stand.

Mr. BARKLEY (after having voted in the negative). I have a pair with the junior Senator from Iowa [Mr. DICKINSON], who is absent. Not knowing how he would vote I withdraw my vote.

Mr. ROBINSON of Indiana (after having voted in the affirmative) I have a general pair with the junior Senator from Mississippi [Mr. STEPHENS], who has not voted. I transfer that pair to the junior Senator from California [Mr. SHORTRIDGE] and allow my vote to stand.

The PRESIDENT pro tempore (after having voted in the affirmative.) The occupant of the chair transfers his general pair with the Senator from Louisiana [Mr. BROUSSARD] to the Senator from Connecticut [Mr. WALCOTT] and lets his vote stand.

Mr. FESS. I wish to announce the following general pairs:

The Senator from Wyoming [Mr. CAREY] with the Senator from Louisiana [Mr. LONG];

The Senator from Pennsylvania [Mr. DAVIS] with the Senator from Kentucky [Mr. LOGAN];

The Senator from Nebraska [Mr. HOWELL] with the Senator from New Mexico [Mr. BRATTON];

The Senator from Idaho [Mr. THOMAS] with the Senator from Montana [Mr. WHEELER];

The Senator from New Jersey [Mr. KEAN] with the Senator from Arizona [Mr. ASHURST];

The Senator from Maryland [Mr. GOLDSBOROUGH] with the Senator from Tennessee [Mr. HULL];

The Senator from Minnesota [Mr. SCHALL] with the Senator from Oklahoma [Mr. THOMAS]; and

The Senator from Vermont [Mr. DALE] with the Senator from Alabama [Mr. BLACK].

Mr. SHEPPARD. I wish to announce that the following Senators are detained from the Chamber on official business:

The Senator from Arizona [Mr. ASHURST]; the Senator from Alabama [Mr. BLACK]; the Senator from New Mexico [Mr. BRATTON]; the Senator from Tennessee [Mr. HULL]; the Senator from West Virginia [Mr. NEELY]; the Senator from Nevada [Mr. PITTMAN]; the Senator from Oklahoma [Mr. THOMAS]; and the Senator from Virginia [Mr. SWANSON].

The result was announced—yeas 38, nays 26, as follows:

YEAS—38

Austin	George	Lewis	Schuyler
Bailey	Grammer	McNary	Sheppard
Bingham	Hale	Metcalf	Smith
Caraway	Hastings	Moses	Steinwer
Coolidge	Hatfield	Oddie	Vandenberg
Copeland	Hayden	Patterson	Wagner
Couzens	Hebert	Reed	Watson
Cutting	Johnson	Reynolds	White
Fess	Kendrick	Robinson, Ind.	
Fletcher	Keyes	Russell	

NAYS—26

Bankhead	Connally	Kling	Shipstead
Blaine	Costigan	La Follette	Trammell
Bulkeley	Dill	McGill	Tydings
Bulow	Frazier	McKellar	Walsh, Mass.
Byrnes	Glass	Norris	Walsh, Mont.
Capper	Gore	Nye	
Clark	Harrison	Robinson, Ark.	

NOT VOTING—32

Ashurst	Carey	Kean	Smoot
Barbour	Dale	Logan	Stephens
Barkley	Davis	Long	Swanson
Black	Dickinson	Neely	Thomas, Idaho
Borah	Glenn	Norbeck	Thomas, Okla.
Bratton	Goldsborough	Pittman	Townsend
Brookhart	Howell	Schall	Walcott
Broussard	Hull	Shortridge	Wheeler

So the amendment of the committee was agreed to.

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The PRESIDENT pro tempore. The clerk will state the next amendment reported by the committee.

The next amendment was, on page 21, line 10, after the word "enlistment," to strike out the colon and the following additional proviso:

Provided further, That not to exceed \$2,522,880 shall be available for expenditure for or on account of the transportation of persons pursuant to the provisions of this appropriation.

The amendment was agreed to.

The next amendment was, on page 22, at the beginning of line 10, to increase the appropriation for Army transportation from \$11,106,745 to \$11,631,745.

The amendment was agreed to.

The next amendment was, on page 22, line 17, after the word "ambulances," to insert "and motor cycles"; in line 18, after the word "provided," to strike out "\$150,000" and insert "\$250,000," and in line 20, after the words "motor-propelled," to strike out "trucks: *Provided further*, That completely assembled and equipped motor-propelled trucks, including station-wagon types, may be purchased out of this appropriation, and other appropriations for the fiscal year 1934 under the Quartermaster Corps, which may be available for or on account of the maintenance of animals, or for or on account of the purchase, maintenance, and operation of animal-drawn equipment, or for or on account of rail transportation of persons and materials, the cost of any such vehicle so procured not to exceed \$750, including the value of any vehicle exchanged" and insert "trucks, including station-wagon types except those that are procured solely for experimental purposes," so as to make the proviso read:

Provided, That no part of this appropriation shall be available for the purchase or exchange of motor-propelled passenger-carrying vehicles other than not exceeding \$75,000 for the purchase or exchange of motor-propelled ambulances and motor cycles, and not exceeding (except as otherwise in this paragraph provided) \$250,000 of this appropriation shall be available for the purchase or exchange of motor-propelled trucks, including station-wagon types except those that are procured solely for experimental purposes.

The amendment was agreed to.

The next amendment was, on page 23, line 23, after the word "transfer," to strike out the colon and the following additional proviso:

Provided further, That no appropriation contained in this act shall be available for any expense incident to the operation of the Fort Benning Railroad.

Mr. GEORGE. Mr. President, before the vote is taken on that amendment I desire to make a statement. This amendment was inserted on the floor of the House:

Provided, That no appropriation contained in this act shall be available for any expense incident to the operation of the Fort Benning Railroad.

A controversy has arisen between the Central of Georgia Railroad, the former lessee of the Government-owned railroad running between Fort Benning Junction and Fort Benning, a distance of about 4½ miles. The Central of Georgia Railroad held a revocable license and has operated this line of road under this revocable license since the 15th day of June, 1924. In 1931 some complaint was made by the commanding officer at Fort Benning, and subsequently the Secretary of War or the Assistant Secretary of War took steps to revoke the license under which the Central of Georgia Railroad operated this road.

As a matter of fact, the Central of Georgia was given no notice of complaint, and as a matter of fact the letter transmitting the order revoking the license was written on September 2. The order itself bore date of September 16; but on the 9th of September, prior to the date of the order, the Assistant Secretary of War made another contract—a contract by which the firm of Page & Harris, or the Page-Harris Co., was given the privilege of operating this short line of railroad, Government owned, from the Fort Benning Junction into the reservation.

Those facts are beyond dispute. There is in the hearings a statement to the effect that after the Central of Georgia learned that its license had been revoked the matter was reconsidered and reheard, but the hearing was purely per-

functory, and I undertake to say that the War Department ought to be glad to open up this transaction because of the facts stated.

The Secretary of War claims that leasing this short line of railroad to an operating company—not a railroad company at all; it has no property; it is not a taxpayer—will save to the Government about \$17,000 a year on freights, mainly on coal, fuel, and so forth, carried into Fort Benning. It is questionable whether it will save such sum. Experience will demonstrate whether it will save anything. It can not save \$17,000 a year, and I undertake to say, as a matter of fact, that it will not save \$17,000 a year.

This matter is in controversy, so far as the leasing of the road is concerned, between the Central of Georgia Railway Co. and the operating company to which the lease was given without notice in the first instance to the Central of Georgia Railway Co.

The ground upon which the lease was revoked was that between two certain dates in 1931 the Central of Georgia Railway Co. had ceased to give double train service into the reservation; but I call the attention of the Senate to the fact that six months prior to the cancellation of the lease double service had been in fact restored, and therefore that could not have been the reason.

The Secretary of War ought to invite a close and careful scrutiny of this transaction, because the reasons assigned for the action are not borne out by the facts.

The order revoking was dated September 16, whereas on the 9th of September, prior to the 16th, a lease had been made with another concern without notice to the previous lessees; and the claim of economy will not in fact be borne out by actual experience.

So much for the facts on that point.

In the second place, the Central of Georgia Railway Co. is a railway company operating in the State, with its lines running throughout the State. It is now in the hands of a receiver. It is serving the Government at Fort Benning probably at a small profit; but I have definite information that it is serving the Government also at Fort Screven and Fort Oglethorpe at a loss. There is little sense in advancing money to railway companies, failed and failing, and then having the War Department cancel a contract with a railroad company and enter into one with an operating company in order to save, at the most, \$17,000 a year, or, as one of the officials from the War Department stated, net \$13,000 a year.

Mr. President, this controversy is between the Central of Georgia Railway Co. and the Page & Harris Co., a North Carolina concern. I am not going to take sides on the floor of the Senate in a controversy between two concerns that seek to control this small line of railway; but I am making this statement intentionally because the Fort Benning Railroad Co. has applied under sections 18 to 21, inclusive, of the interstate commerce act for a certificate of convenience and necessity. The Central of Georgia Railway Co. and perhaps others have intervened in that application, and are resisting the issuance of the order.

I submit to the Senate—and I think the Senator in charge of this bill will agree with me—that if the Interstate Commerce Commission denies to the Fort Benning Railway Co. the order or the certificate of convenience and necessity, then no part of the money appropriated in this act should be paid to this railway company. No part of it ought to be available to cover any expense or any item of indebtedness claimed to be due to the Fort Benning Railway Co.

This issue was debated at length on the floor of the House, and this amendment was inserted. The amendment is somewhat complicated, in that if it were taken in exactly the language in which it appears in the bill it is likely that the War Department would be embarrassed in carrying on the necessary operations which it itself has performed in shifting cars and making actual delivery of freight within the reservation.

The Senate committee has stricken out that amendment. The whole matter will be in conference; and I have spoken to the Senator in charge of the bill, and I have made this

statement, for the purpose of enabling the conference committee to give proper consideration to this matter. I believe that the conferees will be pleased, if they will go into it fully, to attach a provision at least that no part of this money shall be available for payment to the Fort Benning Railway Co. unless the Interstate Commerce Commission should issue its order under the application now pending.

Of course, if the Interstate Commerce Commission issues that order, the case may stand upon a somewhat different footing. I am not insisting upon the amendment as entered in the House, because I think that amendment, precisely as entered, would work some hardship upon the War Department, although there is some substantial reason why this matter should be kept open by some agreement in conference along the lines suggested by me.

Mr. LEWIS. Mr. President, the Illinois Central Railroad—a constituent of mine, and my colleague's—is the supervising agency controlling the Georgia Central, to which the Senator from Georgia has just alluded.

I beg to inform the Senate that while I have no personal knowledge of these details as recorded and expressed by the Senator from Georgia, I am in receipt of a written communication fully setting out the details—the communication coming from the general counsel of the Illinois Central, addressed to me—which bears out and sustains the representations made by the Senator from Georgia.

Further than that, sir, I have no desire to trespass upon the time of the Senate; but I do desire to have it understood that the Illinois Central sends this confirmation of the views as expressed by the Senator from Georgia.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. REED. Mr. President, just a word in reply to the Senator from Georgia.

I understand that the committee amendment has been agreed to. In that case the conferees will have full authority to put in a qualified prohibition, so that if the certificate of necessity is refused by the Interstate Commerce Commission we shall be able to take care of that case.

The PRESIDENT pro tempore. The clerk will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Horses, draft and pack animals," on page 24, after line 9, to strike out:

For encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance, \$118,827.

And in lieu thereof to insert:

For the purchase of draft and pack animals and horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for all expenses incident to such purchases (including \$120,000 for encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance), \$202,500.

The amendment was agreed to.

The next amendment was, under the subhead "Signal Corps—Signal Service of the Army," on page 31, line 17, before the word "of," to strike out "\$2,381,870" and insert "\$2,421,517," so as to read:

Telegraph and telephone systems: Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; not to exceed \$18,641 for mileage or other travel allowances of officers, and traveling expenses of employees, traveling on duty in connection with the Signal Service of the Army; motor cycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or sig-

naling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use of the Signal Corps and in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting the local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military posts, cantonments, camps, and stations of the Army; fire control and direction apparatus and material for field artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase, and development or improvements in apparatus, and maintenance of signaling and accessories thereto, including patent rights and other rights thereto, including machines, instruments, and other equipment for laboratory and repair purposes; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required, \$2,421,517, of which amount not to exceed \$150,000 shall remain available until June 30, 1935, for the construction and rehabilitation of Signal Corps telephone systems.

The amendment was agreed to.

The next amendment was, under the subhead "Air Corps—Air Corps, Army," on page 34, line 9, after the word "aircraft," to strike out "\$23,324,185" and insert "\$23,329,185," so as to read:

For creating, maintaining, and operating at established flying schools and balloon schools courses of instruction for officers, students, and enlisted men, including cost of equipment and supplies necessary for instruction, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments, and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith and the establishment of landing and take-off runways; for purchase of supplies for securing, developing, printing, and reproducing photographs in connection with aerial photography; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas, and sewerage, including maintenance, operation, and repair of such utilities at such plants; for the procurement of helium gas; for travel of officers of the Air Corps by air and rail in connection with the administration of this appropriation, not to exceed \$92,825, exclusive of the cost of transporting new aircraft from factory to first destination; salaries and wages of civilian employees as may be necessary, and not to exceed \$38,490 for payment of their traveling and other necessary expenses as authorized by existing law; transportation of materials in connection with consolidation of Air Corps activities; experimental investigation and purchase and development of new types of airplanes and balloons, accessories thereto, and aviation engines, including plans, drawings, and specifications thereof, and the purchase of letters patent, application for letters patent, licenses under letters patent and applications for letters patent; for the purchase, manufacture, and construction of airplanes and balloons, including instruments and appliances of every sort and description necessary for the operation, construction (airplanes and balloons), or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith; for the marking of military airways where the purchase of land is not involved; for the purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings, and other facilities for the handling or storage of such equipment; for the services of not more than four consulting engineers at experimental stations of the Air Corps as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 a day for not exceeding 50 days each and necessary traveling expenses; purchase of special apparatus and appliances, repairs and replacements of same used in connection with special scientific medical research in the Air Corps; for maintenance and operation of such Air Corps printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies and

equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft, \$23,329,185.

The amendment was agreed to.

The next amendment was, on page 34, line 20, after the word "employees," to insert "not exceeding \$5,000 may be expended for the production of lighter-than-air equipment," so as to make the proviso read:

Provided, That from the amount herein appropriated and the amount herein authorized for obligation not to exceed \$3,670,875 may be expended for pay and expenses of civilian employees other than those employed in experimental and research work; not exceeding \$17,000 may be expended for the procurement of helium from the Bureau of Mines, of which sum such amounts as may be required may be transferred in advance to that bureau; not exceeding \$3,035,429 may be expended for experimental and research work with airplanes or balloons and their equipment, including the pay of necessary civilian employees; not exceeding \$5,000 may be expended for the production of lighter-than-air equipment; not less than \$8,257,807 shall be expended for the production or purchase of new airplanes and their equipment and accessories, of which \$7,614,522 shall be available exclusively for combat airplanes, their equipment and accessories; not less than \$9,130,100 shall be expended, other than for pay of civilian employees, for aviation fuel and oil and for the repair and maintenance of airplanes and their equipment, spare parts, and accessories; and not more than \$6,000 may be expended for settlement of claims (not exceeding \$250 each) for damages to persons and private property resulting from the operation of aircraft at home and abroad when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Corps and the Secretary of War.

The amendment was agreed to.

The next amendment was, under the subhead "Medical Department, Army—Medical and hospital department," on page 38, line 6, to strike out "\$1,095,976" and insert "\$1,271,471," so as to read:

For the manufacture and purchase of medical and hospital supplies, including disinfectants, for military posts, camps, hospitals, hospital ships and transports, for laundry work for enlisted men and Army nurses while patients in a hospital, and supplies required for mosquito destruction in and about military posts in the Canal Zone; for the purchase of veterinary supplies and hire of veterinary surgeons; for inspection service and instruction furnished by the Department of Agriculture which may be transferred in advance; for expenses of medical supply depots; for medical care and treatment not otherwise provided for, including care and subsistence in private hospitals of officers, enlisted men, and civilian employees of the Army, of applicants for enlistment, and of prisoners of war and other persons in military custody or confinement, when entitled thereto by law, regulation, or contract: *Provided*, That this shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furlough; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages not otherwise provided for for bedding and clothing injured or destroyed in such prevention; for the care of insane Filipino soldiers in conformity with the act of Congress approved May 11, 1908 (U. S. C., title 24, sec. 198); for the pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of sick officers and soldiers, under such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Department; for the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for supplies for use in teaching the art of cooking to the enlisted force of the Medical Department; for the supply of the Army and Navy Hospital at Hot Springs, Ark.; for advertising, laundry, and all other necessary miscellaneous expenses of the Medical Department, \$1,271,471.

The amendment was agreed to.

The next amendment was, under the subhead "Ordnance Department—Ordnance service and supplies, Army," on page 40, line 15, after the word "of" to strike out "light trucks, at not to exceed \$750 each" and insert "trucks," and, in line 25, after the word "traveling" to strike out "expenses, not to exceed \$26,981" and insert "expenses," so as to read:

For manufacture, procurement, storage, and issue, including research, planning, design, development, inspection, test, alteration, maintenance, repair, and handling of ordnance material together with the machinery, supplies, and services necessary thereto; for supplies and services in connection with the general work of the Ordnance Department, comprising police and office duties, rents,

tolls, fuel, light, water, advertising, stationery, typewriting and computing machines, including their exchange, and furniture, tools, and instruments of service; to provide for training and other incidental expenses of the ordnance service; for instruction purposes, other than tuition; for the purchase, completely equipped, of trucks, and for maintenance, repair, and operation of motor-propelled and horse-drawn freight and passenger-carrying vehicles; for ammunition for military salutes at Government establishments and institutions to which the issues of arms for salutes are authorized; for services, material, tools, and appliances for operation of the testing machines and chemical laboratory in connection therewith; for publications for libraries of the Ordnance Department, including the Ordnance Office, including subscriptions to periodicals; for necessary traveling expenses; for services of not more than four consulting engineers, as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 per day for not exceeding 50 days each, and for their necessary traveling expenses, \$9,366,116.

The amendment was agreed to.

The next amendment was, under the subhead "Seacoast defenses," on page 45, line 4, after the words "in all," to strike out "including not to exceed \$3,320 in the aggregate for traveling expenses," so as to read:

In all, \$2,035,431.

The amendment was agreed to.

The next amendment was, under the heading "Militia Bureau—National Guard—Arming, equipping, and training the National Guard," on page 48, line 18, after the name "United States," to strike out "for a disability rated by the Veterans' Administration in excess of 10 per cent," so as to read:

No part of the appropriations made in this act shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the National Guard who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States.

The amendment was agreed to.

The next amendment was, under the subhead "Arms, uniforms, equipment, etc., for field service, National Guard," on page 49, line 18, after the word "National," to strike out "Guard, at a cost of not to exceed \$750 per vehicle" and insert "Guard," so as to make the proviso read:

Provided, That funds now and herein made available to the Militia Bureau may be used for the purchase of motor-propelled trucks, including station wagon types, for field artillery use of the National Guard.

The amendment was agreed to.

The next amendment was, under the subhead "Citizens' military training—Reserve Officers' Training Corps," on page 57, line 10, after the word "Air," to strike out "Corps, Medical Corps, Dental Corps, or Veterinary" and insert "Corps," so as to make the further proviso read:

Provided further, That none of the funds appropriated in this act shall be available for any expense on account of any student in Air Corps units not a member of such units on May 5, 1932, but such stoppage of further enrollments shall not interfere with the maintenance of existing units.

The amendment was agreed to.

The next amendment was, under the subhead "Citizens' military training camps," on page 60, after line 6, to insert:

Under the authorizations contained in this act no issues of reserve supplies or equipment shall be made where such issues would impair the reserves held by the War Department for two field armies or 1,000,000 men.

The amendment was agreed to.

The next amendment was, under the subhead "Ordnance equipment for rifle ranges for civilian instruction," on page 61, line 19, after the word "law," to strike out "\$150,000" and insert "\$125,000," so as to read:

For arms, ammunition, targets, and other accessories for target practice, for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War, in connection with the encouragement of rifle practice, in pursuance of the provisions of law, \$125,000.

The amendment was agreed to.

The next amendment was, on page 62, after line 9, to strike out:

None of the funds appropriated in this act shall be used for the purpose of paying any commissioned officer, active or retired, for his salary in computing which any service has been counted other

than active commissioned service under a Federal appointment and commissioned service in any of the military or naval forces of the United States, including the National Guard or the Organized Militia, while in the service of the Government of the United States.

The amendment was agreed to.

The next amendment was, under the heading "Title II—Nonmilitary Activities of the War Department, Quartermaster Corps, Cemetery Expenses," on page 64, line 7, after the word "travel," to strike out "\$820,795" and insert "\$847,943," so as to read:

For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, laborers and other employees, purchase of tools and materials; and for the repair, maintenance, and operation of motor vehicles; care and maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery, and permanent American cemeteries abroad, including not to exceed \$2,250 in the aggregate or \$450 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the act approved June 26, 1930 (U. S. C., Supp. V, title 5, sec. 118a); for repair to roadways, but not to more than a single approach road to any national cemetery constructed under special act of Congress; for headstones for unmarked graves of soldiers, sailors, and marines under the acts approved March 3, 1873 (U. S. C., title 24, sec. 279), February 3, 1879 (U. S. C., title 24, sec. 280), March 9, 1906 (34 Stat., p. 56), March 14, 1914 (38 Stat., p. 768), and February 26, 1929 (U. S. C., Supp. V, title 24, sec. 280a), and civilians interred in post cemeteries; for recovery of bodies and the disposition of remains of military personnel and civilian employees of the Army under act approved March 9, 1928 (U. S. C., Supp. V, title 10, sec. 916); for the care, protection, and maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the Confederate Cemetery, Camp Chase, at Columbus, the Confederate section in Greenlawn Cemetery at Indianapolis, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island, and not to exceed \$17,625 for or on account of travel, \$847,943.

The amendment was agreed to.

The next amendment was, under the subhead "Corps of Engineers," on page 71, after line 8, to insert:

PRESERVATION AND REPAIR OF HISTORICAL FORTIFICATIONS

For the protection, preservation, repair, and maintenance of historical fortifications at San Juan, Puerto Rico, \$5,000.

The amendment was agreed to.

The next amendment was, under the subhead "Rivers and Harbors," on page 72, line 13, after the figures "\$39,388,129" to strike out the colon and the following additional proviso:

Provided further, That hereafter the provisions of section 5 of the act of July 16, 1914 (U. S. C., title 5, sec. 78), shall be construed as applying to the Corps of Engineers as to the purchase of motor boats and motor-propelled passenger-carrying vehicles.

The amendment was agreed to.

The next amendment was, on page 72, after line 21, to insert:

Fort Pierce Harbor: For dredging the channel of Fort Pierce Harbor, Fla., \$30,000, or so much thereof as may be necessary, to be immediately available.

The amendment was agreed to.

The next amendment was, under the subhead "The Panama Canal," on page 76, line 23, after the name "Panama Railroad Co." to strike out "in excess of 10 per cent of the capital stock of such company"; so as to read:

For maintenance and operation of the Panama Canal: Salary of the governor, \$10,000; purchase, inspection, delivery, handling, and storing of materials, supplies, and equipment for issue to all departments of the Panama Canal, the Panama Railroad, other branches of the United States Government, and for authorized sales; payment in lump sums of not exceeding the amounts authorized by the injury compensation act, approved September 7, 1916 (U. S. C., title 5, sec. 793), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal; for continuing the construction of the Madden Dam across the Chagres River at Alhajuela for the storage of water for use in the maintenance and operation of the Panama Canal, together with a hydro-electric plant, roadways, and such other work as in the judgment of the Governor of the Panama Canal may be necessary, to cost in the aggregate not to exceed \$15,500,000; in all, \$9,172,700, together with all moneys arising from the conduct of business operations authorized by the Panama Canal act, and such sums, aggregating not to exceed \$2,000,000, as may be deposited in the Treasury of the United States as dividends by the Panama Railroad Co.

The amendment was agreed to.

The PRESIDENT pro tempore. That completes the committee amendments.

Mr. COPELAND. Mr. President, I have an amendment to offer on page 56, line 12. This has to do with the Reserve Officers' Training Corps.

The Budget estimates for 1934 allowed \$3,912,009 for this activity, a decrease of \$167,475 under the amount appropriated for the current fiscal year. The House subcommittee reduced this by \$557,798.

It is necessary, if we are to carry on this work of the reserve officers' training, to increase the appropriation somewhat. I am not asking that it should go back to the point where it was last year, when it was \$4,079,484; but the Budget has estimated this at \$3,912,009, and from the best information I can get the amount should be increased by \$482,000. My amendment is that the figures on line 12, now reading "\$3,354,211," be made "\$3,840,211."

I ask to have inserted in the RECORD at this point a statement from the national president of the Reserve Officers' Association of the United States.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The War Department appropriation bill (H. R. 14199), as passed by the House and reported by the Senate Appropriations Committee, meets the national-defense requirements of the country with but one exception. This exception relates to the Reserve Officers' Training Corps units.

The Budget estimates for 1934 allowed \$3,912,009 for this activity, a decrease of \$167,475 under the amount appropriated for the current (1933) fiscal year. The House subcommittee reduced the 1934 Budget estimates by \$557,798. These reductions were effected by decreasing the allowances for subsistence, clothing, purchase of ammunition, purchase of horses and forage, etc. The Reserve Officers' Association of the United States, realizing the necessity of economy, does not contest certain of these reductions. However, it is opposed to those reductions which affect the training and morale of the students of the Reserve Officers' Training Corps who, upon the completion of their course, will be commissioned as reserve officers and the future leaders of our civilian army.

Senator ROYAL S. COPELAND, of New York, will offer an amendment from the floor of the Senate to increase the amount carried in the bill by \$482,000. This amount will still be \$75,798 under the Budget (1934) estimates. This amendment will provide for the following projects:

Permit 42 days field training for the Reserve Officers' Training Corps instead of 30 days' training, \$112,000. The duration of field training has been reduced 29 per cent, whereas the monetary saving in camp expenses is but 10 per cent. In the course of his four years at college the Reserve Officers' Training Corps trainee attends but one summer camp. This is the only practical field training resembling war conditions the trainee receives. To qualify him as a reserve officer a period of six weeks of such training is indispensable.

Permit purchase of ammunition for target practice, \$70,000. This amount of ammunition was formerly a free issuance out of surplus. There being no longer an ammunition surplus, the effect will be a further curtailment in training in the use of the basic arm of the service, the rifle.

Permit of uniform and clothing allowances for cadets, \$300,000. By the elimination of this item from the bill the Reserve Officers' Training Corps students will be clothed in war-time shoddy uniforms left over from 1918.

The Reserve Officers' Training Corps is the principal source of procurement of reserve officers. It supplies the deficiency created by retirements of World War officers due to age, etc., from the Officers' Reserve Corps. It furnishes 6,000 commissioned officers annually and gives valuable training in military fundamentals to 121,000 additional students of our schools and colleges. It insures a reservoir of trained junior combat officers. The Reserve Officers' Training Corps graduate who is commissioned agrees to serve for five years in the Officers' Reserve Corps.

Under the present appropriations for training reserve officers the Reserve Officers' Training Corps graduate, after he is commissioned, will receive active-duty field training but once every four years. It is, therefore, highly important that he be trained while still in college.

L. KEMPER WILLIAMS,
Colonel, Infantry Reserve, National President.
BENNETT A. MOLTER,
Major, Air Reserve, National Secretary.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from New York.

Mr. REED. Mr. President, I do not feel impelled to make a point of order against this amendment, but I can not give the Senator any assurance that we will be able to hold it in conference.

Mr. COPELAND. I realize that fully, Mr. President.

The amendment was agreed to.

Mr. COPELAND. Mr. President, on page 12, I move to strike out lines 8 to 18, inclusive. There is no question but that when this language was first placed in the bill some years ago there was need of it, but the prohibition against the officers on the active list serving on these various service publications is a great embarrassment and a very improper thing, in my opinion. Of course, I am particularly interested in the magazine called the Military Surgeon, but the same thing applies to the other service magazines. I ask that that language go out, and that the conferees of the Senate discuss the matter with the House conferees and see if they can not agree on the permanent elimination of the language.

Mr. REED. Mr. President, the provision of the present law and of the bill as it comes to us from the House does work a great hardship on publications like the Military Surgeon, the Cavalry Journal, the Infantry Journal, and the Field Artillery Journal because the officers who publish those magazines have nothing to do with the purchase of supplies. There was a real reason, however, why the Engineer Journal should not be allowed to carry advertisements of contractors with the Government. If the Senator's amendment is adopted, we will try to work out something in conference that will bring about justice.

The PRESIDENT pro tempore. The question is on agreeing to the amendment, which will be stated.

The CHIEF CLERK. The Senator from New York proposes, on page 12, to strike out lines 8 to 18, inclusive, as follows:

No appropriation for the pay of the Army shall be available for the pay of any officer or enlisted man on active list of the Army who is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership and which carries paid advertising of firms doing business with the Government: *Provided, however,* That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of War.

The amendment was agreed to.

Mr. COPELAND. Mr. President, I have one other amendment, which I send forward, to be inserted on page 45, line 13.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 45, line 13, the Senator from New York proposes to insert a new proviso, as follows:

Provided, That the duties of the librarian of the United States Military Academy may be performed by an officer of the Regular Army, retired from active service under the provisions of section 1251, Revised Statutes, and detailed on active duty for that purpose.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SCHUYLER. Mr. President, I have an amendment to offer, which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 26, line 13, the Senator from Colorado moves to strike out "\$1,203,700" and to insert in lieu thereof "\$1,068,700," and on said page 26, lines 21 to 23, strike out the words "Fitzsimons General Hospital, Colorado; gymnasium, recreation, and social hall, \$135,000."

Mr. SCHUYLER. Mr. President, this is a matter of very great interest to the people of Colorado, and especially to the people of Denver, affecting the Fitzsimons Hospital. Much as I dislike to detain the Senate at this hour, a prefatory statement is necessary before I reach the exact explanation of the amendment.

The Fitzsimons Hospital is the greatest hospital under the jurisdiction of the War Department. During the war it became obvious that on account of soldiers' being gassed and subjected to other hardships and exposures affecting their lungs a hospital should be provided for the treatment of the tubercular. Denver, as is well known, has an ideal climate for the treatment of that disease. The people of Denver

raised the money, by individual subscriptions, to buy the ground, some five or six hundred acres in extent, and presented it to the United States. The cost was \$165,000.

On the ground thus secured the Government, with progressive and generous recognition of the needs of this great work, has constructed 161 buildings following along the lines of the actually necessary equipment. But there is one building that has been long desired, and which is lacking, a building where those who are in the arrested stages of this dread disease of tuberculosis may go, not to enjoy a luxury, not solely for recreation, but, as the physicians say, as a necessary part of their treatment.

The people of Denver have taken this hospital to heart. Our ladies out there, as a part of their daily lives, go to the hospital, where there are now 1,118 patients, with delicacies, with literature, with other things that tend to lighten the awful tedium that attends the treatment of tuberculosis and those who suffer from that dread disease.

Mr. President, in that situation, and with this so deeply at heart, the people are appealing that the appropriation made last year of \$135,000 for the construction of what is termed a recreation hall, gymnasium, and social center may now be maintained. That was authorized last year as a part of a program of similar buildings to be placed at various Army barracks throughout the country. But in all the cases outside of this one those accommodations were to be provided for men who are strong and well, who, despite the weather, whatever it is, can have exercise and go forth into the open under all conditions.

But in the one case of the Fitzsimons Hospital, this building is required as a part of the treatment for the tubercular, to the end that those of these sufferers who are able to walk around, but who are confined in case of chilly, cold, or disagreeable weather to the small rooms which they occupy, may have a place where they may go, and as a part of their treatment have the advantage of some moderate exercises and receive the mental relief, so important in the treatment of tuberculosis, that follows from a slight change of scene. The physicians prescribe this as imperative, as much needed. The appropriation was authorized last year, but was classified with appropriations of a similar nature for buildings at other locations, where, as I have said, the men are healthy. In that classification the proposed construction at Fitzsimons Hospital has fallen under the ban of the necessary, prudent economy program, and is eliminated, mistakenly, I think, as being a luxury, not to be expected under present conditions.

Mr. President, if this partook of that nature, if these sufferers were able to go forth at any time, in any kind of weather, and take exercise or enjoy sports, I would be the first to urge that, in the interest of economy, a cut must be applied here as well as elsewhere. But that is a mistaken conception. The true purpose for which this appropriation has been made has been lost sight of.

Under this appropriation and its encouragement, plans have been drawn for this building, so much needed, at an expense of about \$1,200. Bids were to be let in February. I want to read a very concise statement made by Major General Patterson, in charge of the hospitals of the War Department. In his statement, made last month, he succinctly states the need of this building, as follows:

The need for a gymnasium at a large hospital should not be considered in the same way that such a building would be at an ordinary station. This gymnasium, recreation, and social hall is for a hospital. Everything at this station is there because it is a hospital. Such a building has been needed as a therapeutic measure for many years and should not be longer delayed. To-day there are 1,162 sick at this tuberculosis hospital, 547 of which are ambulant and semiambulant, but require gymnastic or graduated exercises. Without a gymnasium and this special equipment this work is limited to outdoor exercises on pleasant days and only during the warmer season. This building, therefore, while its proper title is as given, is required for the proper daily treatment of about 200 ambulatory sick and is necessary for therapeutic purposes as part of the whole hospital. Some \$1,200 has already been expended in drawing up the plans for the building, and the Quartermaster General's office expected to call for bids next month for this construction authorized by Congress in the relief bill of last year.

Mr. President, when this matter came before the House of Representatives it developed that the authority for the expenditure of \$135,000 for this hospital had been included in the program to which I have referred, for buildings similar to this one throughout various places in the country, and the House chose to deal with the appropriation as a lump sum of \$1,203,700, to be taken away from the purposes for which it had been voted and reappropriated for building barracks and other similar construction. The Fitzsimons Hospital appropriation, being in this group, suffered the fate of the others.

Upon remonstrances from Colorado Representatives in the House, the fact that it was associated in this kind of a general item with buildings regarded as luxuries is borne out by the colloquy between our Representative from Denver, Mr. EATON, and Mr. COLLINS, the chairman of the subcommittee of the Committee on Appropriations. Mr. EATON said:

It was not the intention to cut out places for hospital patients to be cared for in that line?

Mr. COLLINS. I am afraid the gentleman has had the appropriation badly earmarked. It is like old dog Tray; it has gotten in bad company. I sympathize with the gentleman.

Mr. President, I maintain that form should not prevail over substance; that the mere fact that this appropriation, so much needed, and which, after years, was obtained for therapeutic purposes, for the purpose of enabling these veterans to have some place where, in inclement weather, they could go and have some comfort, some relaxation, was included in a general program for buildings denominated as luxuries, should not now lead us into a misconception of the true purpose of this construction at Fitzsimons Hospital. Rather, I feel we should maintain the appropriation which was made last year.

Mr. President, that would be accomplished by the amendment in the form in which I have presented it. Its adoption will result in keeping in force that appropriation, a small part of which has already been obligated, and provide a building which is so much needed and which it has been anticipated would be started as a result of bids to be advertised for in February.

I am authorized by Representative EATON, of Denver, to say that in a conversation he had with Representative COLLINS, the chairman of the subcommittee of the Committee on Appropriations of the House, Mr. COLLINS expressed regret that the item was involved in a situation of this kind, which lent itself to a blanket disposal of the subject, and Mr. EATON received encouragement to believe that should we place it in position here where it may be carried to conference, the true nature of the item might well be there considered, at least the distinction would be carefully reweighed between expenditures for things of the character of luxuries in barracks and fields where men are healthy, and an expenditure like this, which is needed for the relief of the sufferers from this terrible disease.

Mr. President, those physicians who have obtained eminence in their profession and who are members of this body would testify, if it were necessary that any testimony should be given, to that which is well known, that the tubercular's progress toward health is very slow. Time moves upon leaden wings. It is a vital thing for their recovery to have change of scene, to have light exercises, to have some companionship at this time.

Mr. COSTIGAN. Mr. President, will my colleague yield? The PRESIDENT pro tempore. Does the junior Senator from Colorado yield to his colleague?

Mr. SCHUYLER. I am glad to yield.

Mr. COSTIGAN. I desire to ask my colleague whether the essential point in his able statement is not this: The item in the appropriation bill appears to have been condemned by the committee because it is wrongfully referred to as supplying recreational facilities, whereas the essential purpose is to provide a building in which patients afflicted with tuberculosis may have suitable opportunities and equipment furnished to assist them to accomplish complete recovery?

Mr. SCHUYLER. I thank my able colleague for his question. I know that his heart is in this measure as keenly as is my own and his question serves to emphasize the very keynote here. It is not recreation, not social communication, that is mainly involved in the item, but the very essence of it is, as certified by Major General Patterson in his letter, a therapeutic measure for the proper progress of these veterans toward recovery.

I earnestly hope that the distinguished Senator from Pennsylvania in charge of the bill will see his way clear—and that the Senate will see the way clear—to permit the subject to be taken to conference where this cloud that has been thrown upon the item for this hospital may be dissipated; at least, that the matter may be again weighed and that this much-needed relief may be brought to these patients suffering from the most dread disease in the world, and who, after many years, in the appropriation made last year, found this relief in sight.

It is an ably administered hospital. The hospital should be and is a pride of every American citizen who knows of it. It is capably administered, receiving the loving attention of thousands of our Colorado citizens; and we earnestly plead that the item may be maintained by the adoption of the amendment and carried through to conference and to final passage.

Mr. REED. Mr. President, the committee realizes this is a desirable building. It hopes to see it erected as soon as it may reasonably be done. The language of the bill does not affect any repeal of the authorization to construct the building. It simply takes away the appropriation for constructing it at this time. It does not cancel the project eventually to erect the recreation hall at the hospital in Denver, but it says in effect that we are not justified in doing it now.

The bill does not carry one penny for new construction at any Army post. The reason why it does not is that both the House and the Senate committees feel that when there are so many men without a roof over their heads, we are not justified in spending any of the public money for increasing our facilities at Army posts. For that reason I can not consent to the amendment offered by the junior Senator from Colorado, much as I would like to do so. If his amendment were to prevail, we would have to increase the appropriation of new money out of the Treasury to take care of current repairs of barracks and quarters. Already we have cut three-quarters of a million dollars below the Budget estimate, and it can not stand any further cut. If the amendment is adopted and takes this money from us, we will have to find new money in the Treasury.

The PRESIDENT pro tempore. The question is on the amendment proposed by the junior Senator from Colorado. The amendment was rejected.

The PRESIDENT pro tempore. The bill is open to further amendment.

Mr. LEWIS. Mr. President, I invite attention to page 27. On that page is a reference to Chanute Field in the State of Illinois. I have had amendments tendered me covering the situation and I am asked to present them to the Senate. I defer to do so and for this reason: The authorizations for the expenditures referred to on page 27 still remain. The expenditures are merely suspended because of a lack of money in the Treasury. It is announced that as soon as money is available to undertake the improvements, they will again be reinstated. With this understanding with the War Department and having it borne out by the eminent chairman of the Committee on Military Affairs, I refrain from pressing the amendments at this time.

The PRESIDENT pro tempore. There being no further amendments, the question is, Shall the amendments be engrossed and the bill be read a third time?

Mr. REED. Mr. President, the Senator from Michigan [Mr. COUZENS] has an amendment pending and also a notice that he would move to suspend the rule. It will take two or three hours of debate to dispose of his amend-

ment. The Senator from Alabama [Mr. BLACK] also has an amendment which he wishes to propose, which can be disposed of very quickly. Neither of the Senators is here now and I have assured them that at this point I would ask for a recess.

I move that the Senate stand in recess until 12 o'clock noon to-morrow.

The motion was agreed to; and the Senate (at 6 o'clock and 8 minutes p. m.) took a recess until to-morrow, Saturday, February 11, 1933, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 10, 1933

COAST GUARD

The following-named lieutenants to be lieutenant commanders in the Coast Guard of the United States, to rank as such from the dates set opposite their names:

Carl H. Hilton, August 20, 1932.
Joseph S. Rosenthal, August 20, 1932.
Frank M. Neals, October 16, 1932.
John W. Kelliher, October 16, 1932.
Emette B. Smith, October 16, 1932.
Ben C. Wilcox, October 16, 1932.
Thomas Y. Awalt, October 16, 1932.
Alfred C. Richmond, October 16, 1932.
Walter R. Richards, October 16, 1932.
Roy L. Raney, October 17, 1932.
George B. Gelly, October 17, 1932.
Russell E. Wood, October 17, 1932.
Clarence H. Peterson, October 17, 1932.
James A. Hirshfield, October 17, 1932.
Joseph D. Conway, October 17, 1932.
Charles W. Lawson, October 17, 1932.
Frank T. Kenner, October 17, 1932.
George C. Carlstedt, October 17, 1932.
John Rountree, October 17, 1932.
William W. Kenner, October 17, 1932.
Stephen P. Swicegood, October 17, 1932.
Henry C. Perkins, October 24, 1932.
Paul W. Collins, October 24, 1932.
Charles W. Thomas, October 24, 1932.
Frank A. Leamy, October 24, 1932.
John H. Byrd, October 24, 1932.
Beckwith Jordan, October 24, 1932.
Charles Etzweiler, October 24, 1932.

The above-named officers have passed the examinations required for the promotions for which they are recommended.

POSTMASTERS

ALABAMA

John R. Fowler to be postmaster at Fayette, Ala., in place of J. R. Fowler. Incumbent's commission expires March 2, 1933.

Griffin G. Guest to be postmaster at Fort Payne, Ala., in place of G. G. Guest. Incumbent's commission expires March 2, 1933.

John F. Harmon to be postmaster at Troy, Ala., in place of J. F. Harmon. Incumbent's commission expires March 2, 1933.

ARKANSAS

Melvin E. Torrence to be postmaster at Atkins, Ark., in place of M. E. Torrence. Incumbent's commission expires March 2, 1933.

Sammie W. Kennedy to be postmaster at Cotton Plant, Ark., in place of S. W. Kennedy. Incumbent's commission expires March 2, 1933.

Lowry L. Jones to be postmaster at Kensett, Ark., in place of Bessie Bevill. Incumbent's commission expired April 23, 1932.

George D. Tubbs to be postmaster at State Sanatorium, Ark., in place of G. D. Tubbs. Incumbent's commission expires March 2, 1933.

John L. Hyde to be postmaster at Tillar, Ark., in place of J. L. Hyde. Incumbent's commission expires March 2, 1933.

CALIFORNIA

Walter W. Middleton to be postmaster at Costa Mesa, Calif., in place of W. W. Middleton. Incumbent's commission expires February 28, 1933.

IDAHO

Haly C. Kunter to be postmaster at Ririe, Idaho, in place of H. C. Kunter. Incumbent's commission expires February 28, 1933.

ILLINOIS

Lottie M. Jones to be postmaster at Antioch, Ill., in place of L. M. Jones. Incumbent's commission expires March 2, 1933.

IOWA

Frank S. Smith to be postmaster at Carson, Iowa, in place of F. S. Smith. Incumbent's commission expires February 28, 1933.

John R. Irwin to be postmaster at Keokuk, Iowa, in place of J. R. Irwin. Incumbent's commission expires February 28, 1933.

MARYLAND

Louis H. Wise to be postmaster at Mechanicsville, Md., in place of L. H. Wise. Incumbent's commission expired January 31, 1933.

Richard H. Williams to be postmaster at Midland, Md., in place of R. H. Williams. Incumbent's commission expires February 20, 1933.

MASSACHUSETTS

LeRoy H. Fuller to be postmaster at Allerton, Mass., in place of L. H. Fuller. Incumbent's commission expires March 2, 1933.

Richard B. Eisold to be postmaster at Ludlow, Mass., in place of R. B. Eisold. Incumbent's commission expires February 25, 1933.

MICHIGAN

John Y. Martin to be postmaster at Corunna, Mich., in place of J. Y. Martin. Incumbent's commission expires March 2, 1933.

MINNESOTA

George H. Hopkins to be postmaster at Battle Lake, Minn., in place of G. H. Hopkins. Incumbent's commission expires February 25, 1933.

Charles C. Gilley to be postmaster at Cold Spring, Minn., in place of C. C. Gilley. Incumbent's commission expires March 2, 1933.

Maurice E. Holden to be postmaster at Garvin, Minn., in place of M. E. Holden. Incumbent's commission expires March 2, 1933.

Anton M. Anderson to be postmaster at St. Peter, Minn., in place of A. M. Anderson. Incumbent's commission expires March 2, 1933.

John N. Irving to be postmaster at South St. Paul, Minn., in place of J. N. Irving. Incumbent's commission expires March 2, 1933.

Clara J. Nelson to be postmaster at Wendell, Minn., in place of Edwin Nelson, deceased.

MISSOURI

Homer E. West to be postmaster at Dexter, Mo., in place of H. E. West. Incumbent's commission expires March 2, 1933.

MONTANA

Bruce R. McNamer to be postmaster at Shelby, Mont., in place of B. R. McNamer. Incumbent's commission expires February 28, 1933.

NEW JERSEY

William G. Wallis to be postmaster at Florence, N. J., in place of W. G. Wallis. Incumbent's commission expires February 14, 1933.

Evan F. Benners to be postmaster at Moorestown, N. J., in place of E. F. Benners. Incumbent's commission expires February 12, 1933.

NORTH CAROLINA

Annie L. Lassiter to be postmaster at Jackson, N. C., in place of A. L. Lassiter. Incumbent's commission expires March 2, 1933.

OKLAHOMA

Joe Nash to be postmaster at Fairfax, Okla., in place of R. R. Dodd, removed.

Henry C. Griswold to be postmaster at Wetumka, Okla., in place of H. C. Griswold. Incumbent's commission expires February 28, 1933.

PENNSYLVANIA

Daniel F. Pomeroy to be postmaster at Troy, Pa., in place of D. F. Pomeroy. Incumbent's commission expires February 25, 1933.

SOUTH DAKOTA

John A. Nannestad to be postmaster at Brandt, S. Dak., in place of J. A. Nannestad. Incumbent's commission expires March 2, 1933.

Adam F. Glaser to be postmaster at Herrick, S. Dak., in place of A. F. Glaser. Incumbent's commission expired December 12, 1932.

Charles S. Hight to be postmaster at White River, S. Dak., in place of C. S. Hight. Incumbent's commission expires March 2, 1933.

TEXAS

John A. Noland to be postmaster at Crawford, Tex., in place of J. A. Noland. Incumbent's commission expires February 28, 1933.

Mary P. Vernon to be postmaster at Hermleigh, Tex., in place of M. P. Vernon. Incumbent's commission expires February 28, 1933.

John C. Ray to be postmaster at Hutto, Tex., in place of J. C. Ray. Incumbent's commission expired February 9, 1933.

Fannie Fuqua to be postmaster at Shiro, Tex., in place of Fannie Fuqua. Incumbent's commission expires February 28, 1933.

VIRGINIA

James T. Reely to be postmaster at Middletown, Va., in place of J. T. Reely. Incumbent's commission expired February 8, 1933.

Russell L. Davis to be postmaster at Rockymount, Va., in place of R. L. Davis. Incumbent's commission expired May 26, 1932.

Helen T. Munt to be postmaster at Surry, Va., in place of H. T. Munt. Incumbent's commission expired January 19, 1933.

WASHINGTON

Herbert A. Miller to be postmaster at Stevenson, Wash., in place of H. A. Miller. Incumbent's commission expires February 28, 1933.

WISCONSIN

John W. Kane to be postmaster at Fredonia, Wis., in place of J. W. Kane. Incumbent's commission expired January 29, 1933.

Carl C. Martin to be postmaster at New Lisbon, Wis., in place of C. C. Martin. Incumbent's commission expires February 25, 1933.

Libbie M. Bennett to be postmaster at Pewaukee, Wis., in place of L. M. Bennett. Incumbent's commission expires February 25, 1933.

Albert J. Topp to be postmaster at Waterford, Wis., in place of A. J. Topp. Incumbent's commission expires February 25, 1933.

HOUSE OF REPRESENTATIVES

FRIDAY, FEBRUARY 10, 1933

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Infinite Spirit, we rejoice that Thou art eternal light, eternal morning, and eternal noon. We thank Thee that Thou art our Father—the purest, the most just, and the most compassionate God who ever entered the conception of man. May the spirit of our divine Master be breathed into all hearts; let it be diffused so that it shall touch all duty and life. With deep solicitude and earnestness may

we work out the material and social salvation of our country. Heavenly Father, administer Thy gracious providence and grace for the special end of helping all who are in the emergencies of the day. Stimulate us, dear Lord, with the highest virtues; bless us with a serene faith, and with a hope that triumphs over all adversity. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 2599. An act for the relief of Henry Dixon Linebarger;

H. R. 2844. An act for the relief of Elmo K. Gordon;

H. R. 8120. An act for the relief of Jack C. Richardson;

H. R. 13872. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1934, and for other purposes; and

H. J. Res. 533. Joint resolution providing for the suspension of annual assessment work on mining claims held by location in the United States and Alaska.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which concurrence of the House is requested:

S. 254. An act authorizing adjustment of the claim of the Chicago, North Shore & Milwaukee Railroad Co.;

S. 257. An act authorizing adjustment of the claim of the Baltimore branch of the Federal Reserve Bank of Richmond;

S. 327. An act to reimburse the estate of Mary Agnes Roden;

S. 610. An act for the relief of the Anderson-Tully Co.;

S. 1067. An act for the relief of Agnes M. Angle;

S. 1463. An act for the relief of William Powell;

S. 2203. An act for the relief of John Pearce Cann;

S. 2374. An act to authorize and direct the Secretary of the Navy to convey by gift to the city of Savannah, Ga., the naval radio station, the buildings, and apparatus, located upon land owned by said city;

S. 2469. An act for the relief of Nellie E. Treuthart;

S. 2519. An act for the relief of Frank I. Otis;

S. 2680. An act for the relief of Harry E. Blomgren;

S. 3008. An act for the relief of Timothy J. Long;

S. 3405. An act for the relief of Raymond Ambrose Nichols;

S. 3673. An act for the relief of George W. Edgerly;

S. 3831. An act for the relief of William A. Lester;

S. 3832. An act for the relief of Zetta Lester;

S. 3972. An act for the relief of Alva D. McGuire, jr.;

S. 4085. An act for the relief of Dominick Edward Maggio;

S. 4135. An act for the relief of Douglas B. Espy;

S. 4230. An act for the relief of Betty McBride;

S. 4274. An act to authorize the Department of Agriculture to issue a duplicate check in favor of Department of Forests and Waters, Commonwealth of Pennsylvania, the original check having been lost;

S. 4286. An act to authorize credit in the disbursing account of Donna M. Davis;

S. 4287. An act for the relief of Harold W. Merrin;

S. 4382. An act for the relief of Wayne Bert Watkins;

S. 4480. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Woman's Club, of the city of Paducah, Ky., the silver service in use on the U. S. S. *Paducah*;

S. 4674. An act authorizing the Secretary of the Interior to issue patents to the numbered school sections in place, granted to the States by the act approved February 22, 1889, by the act approved January 25, 1927 (44 Stat. 1026), and by any other act of Congress;

S. 4782. An act authorizing adjustment of the claim of Arthur R. Saffran;

S. 4844. An act for the relief of C. N. Hildreth, jr.;

S. 4930. An act for the relief of Avery G. Constant;

S. 5085. An act for the relief of Leslie Jensen;

S. 5126. An act to extend the provisions of the Reconstruction Finance Corporation act and the emergency relief and construction act of 1932 to the Virgin Islands;

S. 5161. An act for the relief of Louis Vauthier and Francis Dohs;

S. 5203. An act for the relief of the Harvey Canal Ship Yard & Machine Shop;

S. 5204. An act for the relief of the Texas Power & Light Co.;

S. 5205. An act for the relief of the Great Falls Meat Co., of Great Falls, Mont.;

S. 5207. An act for the relief of Rose Gillespie, Joseph Anton Dietz, and Manuel M. Wiseman, as trustee of the estate of Louis Wiseman, deceased;

S. 5208. An act for the relief of Mary Byrnett Sinks;

S. 5233. An act to provide for the protection of national military parks, national parks, battlefield sites, national monuments, and miscellaneous memorials under the control of the War Department;

S. 5259. An act to provide for agricultural entry of lands withdrawn, classified, or reported as containing any of the minerals subject to disposition under the general leasing law or acts amendatory thereof or supplementary thereto;

S. 5270. An act to authorize the adjustment of a part of the western boundary line of the Plattsburg Barracks Military Reservation, N. Y.;

S. 5274. An act to regulate service of contest notices in all cases affecting mining locations or claims, and for other purposes;

S. 5283. An act authorizing the Secretary of the Navy to make available to the municipality of Aberdeen, Wash., the U. S. S. *Newport*;

S. 5289. An act to authorize the Commissioners of the District of Columbia to reappoint George N. Nicholson in the police department of said District;

S. 5304. An act to authorize the Secretary of War to sell or dispose of certain surplus real estate of the War Department;

S. 5305. An act to authorize the Secretary of War to acquire 5 acres of land, more or less, opposite the Mobile National Cemetery, Ala., for use as an addition to said cemetery;

S. 5325. An act for the relief of Sadie L. Kirby;

S. 5370. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Farnam Street, Omaha, Nebr.;

S. 5387. An act granting a franking privilege to Grace Goodhue Coolidge;

S. 5397. An act to confer the degree of bachelor of science upon graduates of the Naval Academy;

S. 5413. An act for the relief of the Booth Fisheries Co.;

S. 5417. An act to extend the operation of the act entitled "An act for the temporary relief of water users on irrigation projects constructed and operated under the reclamation law," approved April 1, 1932;

S. 5445. An act to extend the time for the construction of a bridge across the Rio Grande at or near Rio Grande City, Tex.;

S. J. Res. 194. Joint resolution conferring jurisdiction upon the Court of Claims to render findings of facts in the claim of the Mack Copper Co.;

S. J. Res. 238. Joint resolution relating to leave with pay for employees of the Government Printing Office; and

S. J. Res. 242. Joint resolution authorizing an appropriation for participation by the United States in an international monetary and economic conference to be held in 1933.

The message also announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 311. An act to approve Act No. 268 of the session laws of 1931 of the Territory of Hawaii entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the island of Molokai";

H. R. 3033. An act for the relief of Ida E. Godfrey and others;

H. R. 5329. An act to amend section 24 of the act approved February 28, 1925, entitled "An act to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve," as amended by the act of March 2, 1929;

H. R. 6733. An act for estimates necessary for the proper maintenance of the flood-control works at Lowell Creek, Seward, Alaska;

H. R. 7503. An act to repeal the Executive order of November 23, 1909, making the enticing of laborers from the Isthmian Canal Commission or the Panama Railroad a misdemeanor;

H. R. 7506. An act to repeal an ordinance enacted by the Isthmian Canal Commission August 5, 1911, and approved by the Secretary of War August 22, 1911, establishing market regulations for the Canal Zone;

H. R. 7508. An act to provide for the inspection of vessels navigating Canal Zone waters;

H. R. 7514. An act in relation to the Canal Zone postal service;

H. R. 7515. An act to provide for the establishment of a customs service in the Canal Zone, and other matters;

H. R. 7523. An act to amend sections 7, 8, and 9 of the Panama Canal act, as amended;

H. R. 9385. An act authorizing Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Des Moines River at or near St. Francisville, Mo.;

H. R. 13974. An act granting the consent of Congress to Bonner County, State of Idaho, to construct, maintain, and operate a free highway bridge across Pend Oreille Lake at the city of Sandpoint in the State of Idaho;

H. R. 14060. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at or near The Dalles, Oreg.;

H. R. 14129. An act to extend the time for completing the construction of a bridge across that portion of Lake Michigan lying opposite the entrance to Chicago River, Ill.; and a bridge across the Michigan Canal, otherwise known as the Ogden Slip, in the city of Chicago, Ill.; and

H. R. 14200. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Alexandria Bay, N. Y.

POST OFFICE-TREASURY APPROPRIATION BILL, FISCAL YEAR 1934

Mr. ARNOLD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 13520) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. Is there objection?

Mr. SNELL. Mr. Speaker, reserving the right to object, as I stated yesterday, this bill has some very important legislation attached to it. While I do not intend to object to sending this matter to conference, unless it be absolutely necessary, I do think it is perfectly proper and right at this stage of the proceedings, because of the importance of the legislation I refer to, to get a little information and to know a little more about it.

When the matter of the reorganization of the various Government departments was first brought up in the beginning of the Seventy-second Congress I very strongly advocated giving certain prerogatives to the Chief Executive to make changes, consolidations, and reorganizations of various Federal agencies for the purpose of economy and also to bring about more efficiency in a great many respects. As far as I know, the present President has never suggested that he be given the right to absolutely abolish definite functions of the Government that have been established by law, certainly not without a review by Congress. It seems to me that the Democratic majority took a very strong position against this action at the beginning of the present Seventy-second Congress. I can not understand the radical change of position

on the other side of the House. It seems to me that it is one of two things—either that the Democrats in the House take the position of opposing giving any such authority to a Republican President for absolutely political reasons, a purely partisan position, or else from the experience of the Democratic Party in running the House during the last two years the leaders have made up their minds that the party is absolutely inefficient to meet the responsibility of a majority in the House of Representatives and now propose to pass to the new Executive the responsibilities and duties placed on the legislative branch under the Constitution.

Mr. BLANTON. Ah, bunk!

Mr. SNELL. That is all right; I am just telling what you propose to do, and I do not wonder you are ashamed of it.

Mr. BLANTON. That statement is so ridiculous that nobody is paying any attention to it.

Mr. SNELL. And I do not yield. The gentleman can make any statement that he desires in his own time; and if the gentleman from Texas [Mr. BLANTON] disputes my statement, let him read the statement of the Speaker in last night's papers.

Mr. ARNOLD. Mr. Speaker, permit me to suggest to the gentleman from New York that this bill went over to the Senate and that certain amendments were there added to the bill. The matter now is deadlocked, unless we can get the bill to conference and get the thing threshed out. The gentleman from New York well knows that the matters about which the gentleman is complaining, that were added in the Senate, are legislative, and that they must come back to the House for consideration by the House. Either this bill must go to conference in this way or it will be necessary to get a rule upon it to send it to conference.

Mr. SNELL. I entirely agree with the gentleman. I intend to let it go to conference, for I have no intention of delaying any legislation during this session, as your record is bad enough now; but I think we ought to have the right to make a few observations before it goes, because this is the proper time to discuss some of the matters connected with this new legislation. I remember very well the opposition of the distinguished gentleman from Missouri [Mr. COCHRAN], the chairman of the Committee on Expenditures in the Executive Departments, relative to abdicating the rights of Congress and giving them over to the executive department.

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman from Illinois yield?

Mr. ARNOLD. I yield.

Mr. COCHRAN of Missouri. The gentleman from New York can get the position of the gentleman from Missouri now, and I hope he will remember it. I am willing to let the bill go to conference, but I am not willing to make the Congress of the United States appear like a lot of cowards, and I shall not vote for any proposition such as is proposed in the newspapers to-day. The Senate amendment is too drastic. It should be modified. If we do pass such a proposal as the one outlined in the papers, we are nothing but a lot of cowards, refusing to do our constitutional duty. I am willing and ready at any time to perform my duty, and I do not ask that for political or other reasons that the Chief Executive take over the responsibilities that are mine. [Applause.]

Mr. SNELL. I am very much pleased to hear the gentleman from Missouri say that. I wanted to get some expressions of that kind from the other side of the aisle.

Mr. COCHRAN of Missouri. Well, the gentleman has secured it from me. I have some confidence in the Democratic conferees, because I do not believe that they are going to be stamped by any such suggestion as has been advanced in this morning's press.

Mr. RANKIN. Mr. Speaker, will the gentleman from New York yield?

Mr. SNELL. Certainly, if I have the floor.

Mr. RANKIN. I desire to say in reply to the gentleman from New York [Mr. SNELL] that I am willing to support the Senate bill. I believe a great many of these departments and bureaus should be consolidated. But I do not want the

House conferees to take the statement in yesterday's paper as instructions, or as representing the unanimous sentiment of this side of the House. We are not willing to abdicate our functions as legislators, nor are we willing to pile all our responsibilities into the lap of the incoming President of the United States. [Applause.]

Mr. MAPES. Mr. Speaker, reserving the right to object, and I do not intend to object, personally I am in favor of sending this bill to conference, but it seems to me, inasmuch as the House is marking time waiting for the Committee on Appropriations to get ready to report another supply bill, that we might use a little time to good advantage to discuss the legislation put on the bill in the Senate, long enough, at least, to ascertain what it attempts to do and to express ourselves briefly upon the merits of it.

The Senate has incorporated in this appropriation bill some very important and far-reaching legislation. An examination of the Senate proceedings as they appear in the RECORD indicates that there was very little debate on some phases of the legislation in the Senate, and certainly we ought to know, at least, what is in the bill before we send it to conference. I have confidence in the conferees, and as far as I am personally concerned, I am willing to forego forming any judgment on the conference report until it is submitted to the House, but the membership of the House ought to realize before the bill goes to conference that one of the Senate amendments attempts to authorize and does authorize, if it is constitutional, the President of the United States not only to consolidate and merge all executive agencies of the Government as he sees fit, but it also authorizes him to abolish any and all executive agencies, without any veto on his orders being left to the Congress.

Mr. ARNOLD. Mr. Speaker, it occurs to me that this matter is now all beside the point. No one can anticipate what the conferees may do.

Mr. MAPES. Mr. Speaker, have I the floor?

The SPEAKER. Of course, this is all by sufferance of the House. The gentleman may have the floor by reserving the right to object.

The Chair is not attempting to interfere with the gentleman. The gentleman from Illinois [Mr. ARNOLD] is attempting to ask the gentleman from Michigan a question.

Mr. BLANTON. Will the gentleman yield?

Mr. ARNOLD. I have yielded to the gentleman from Michigan, but I hope he will not take so much of the time of the House in discussing this matter, which will properly be discussed when the conference report comes back to the House.

Mr. MAPES. We have ample time, and it is unusual, in my experience, to have conferees urge that a bill of this importance be sent to conference without any comment being made upon it. I do not care to take very much of the time of the House or to make any extended remarks, but I have given some attention to this matter of consolidation of departments and I would like to have a few minutes to briefly discuss the matter.

Personally I am in favor of giving the President just as much power as can be given him to consolidate and merge the departments of the Government, so as to prevent duplication and waste, and to promote efficiency. I would not advocate, however, giving him absolute power to abolish executive agencies, without any veto power whatsoever being left to Congress.

The incoming Congress is going to be controlled by the party of which the Executive is a member, and it seems to me the part of wisdom and the part of discretion to put into this provision some sort of veto power on the action of the President in eliminating executive agencies. It is giving undue authority to the President to clothe him with power to abolish without any restriction whatever any or all of the executive agencies of the Government, not only the independent commissions and establishments, but the different bureaus in the departments as well, all of which have been created by laws passed by Congress. Do you want to give one man the power to abolish the Federal Board for

Vocational Education; the United States Board of Mediation; the Interstate Commerce Commission; the Federal Farm Board; the Federal Trade Commission; the United States Tariff Commission; the Federal Reserve Board; the Power Commission; the Radio Commission; or the Civil Service Commission? Any or all of those commissions could be abolished by the President without any veto power on the part of Congress if this legislation is passed as put on here by the Senate and if it is constitutional to clothe the President with that authority.

There has been some comment in the public press about going still farther. I am not concerned about that at present. I am willing to pass upon that after the conferees have brought in their report, but it does seem to me that the conferees should give serious attention to the question of putting in here some veto provision similar to that which was put in on the economy legislation at the last session of Congress, in so far as the power of the President to abolish agencies and commissions of the Government is concerned.

Mr. GIFFORD. Will the gentleman yield?

Mr. MAPES. I yield.

Mr. GIFFORD. Having in mind the reorganization of all departments of my State, and the results thereof, it will be possible, under this sweeping authorization of reorganization, to substitute new designations for the departments that may be combined, to only apparently abolish a great many offices, only to get rid of even civil-service employees that new ones may be substituted, and create the opportunity of making a large number of new appointments. In spite of these patriotic utterances of to-day, we may be forgiven for a little suspicion that this may be the final result, because we have not been assured here of any more real economy than was contained in the recent plan submitted by President Hoover.

Mr. MAPES. The observation of the gentleman from Massachusetts is very pertinent. But for me, although I think to give the President unlimited power to abolish any bureau or agency that he sees fit is going too far, I am willing to go along with that provision in the bill if it is necessary, in order to give the President this other power to consolidate and reorganize departments and do away with duplication and waste.

This and preceding Congresses have refused to give the President power to reorganize the departments, to say nothing of abolishing them; and it should be kept in mind that this administration has never asked Congress to clothe the President with any such power as is proposed in the Senate amendment. Among other objections to the provision there is serious doubt as to its constitutionality. The independent commissions and the bureaus in the different departments have been created by express statutory enactments. Can they be abolished without the passage of legislation expressly repealing the statutes which created them?

Criticism has been made of the President, because he did not submit to Congress sooner than he did a reorganization plan as authorized by the economy act of the last Congress. That criticism overlooks the fact that the economy act was not passed until the closing days of the last session. The President had to submit this program to Congress. This he did as soon as Congress reconvened. He could not have acted any more promptly than he did.

I yield the floor, Mr. Speaker.

Mr. WOODRUM. Mr. Speaker, I ask for recognition.

Mr. BLANTON. Will the gentleman yield?

Mr. ARNOLD. I yield.

Mr. BLANTON. The gentleman from New York [Mr. SNELL] criticized the Democratic side of the House because we preferred to have our incoming President do this reorganizing himself.

They accuse us of partisan politics. The gentleman from New York knows that if ever there is to be any consolidation or grouping of bureaus it must be done by the President and not by Congress. He is not going to get Congress to do it.

Mr. SNELL. Mr. Speaker, will the gentleman yield for a question?

Mr. BLANTON. I would like to make this statement without interruption.

Mr. SNELL. The gentleman will not yield, then?

Mr. BLANTON. Not right now. When the gentleman from New York [Mr. SNELL], who unseated the gentleman from Connecticut, took over the reins of the Republican organization here, he told his Republican colleagues that every time a Democrat got up he would hit him on the head; that every time a Democratic proposition came up he would hit it on the head. He is merely carrying out his promises to his Republican colleagues. He is trying to hit something on the head. This is just part of his program. He promised when he unseated Tilson that he would hit something on the head, and now he is trying to fulfill his promises. Is not that so? [Laughter.]

I now yield to the gentleman from New York.

Mr. SNELL. I may say to the gentleman from Texas that when Democrats raise their heads in opposition to economic proposals I try to hit them, or when they attempt to do foolish things I call attention to it.

Mr. BLANTON. That is what the gentleman said when he unseated Tilson.

Mr. SNELL. The gentleman will have some trouble on his side before they organize the next Congress. If I were he, I would not have so much to say about it.

Mr. BLANTON. No; we Democrats are all working together over here. The gentleman knows if he wants consolidation he has got to leave it to the President, and that is what we propose to do. The gentleman from New York is not going to stop this bill from going to conference.

Mr. SNELL. I said I did not even want to, so what is the gentleman's argument?

Mr. BLANTON. We are prepared for his knocking things on the head. He and others can object but that will not stop it. We have a rule at the desk which sends the bill to conference. So, if the gentleman objects, we will pass the rule.

Mr. WOOD of Indiana. Mr. Speaker, reserving the right to object, I wish to say I am entirely willing and anxious for this bill to go to conference, but it is fraught with more importance than any measure that has come into the Congress since I have been a Member of it, not only as to the proposed legislation that abdicates the right to legislate with reference to the creation of offices or the abolition of offices, but as to a number of other amendments that are of vital importance to every Member of this Congress.

Especially do I invite your attention to section 201, which was eliminated in the Senate. If this section remains out of this bill it is going to permit the reestablishment of all the salaries we attempted to reduce at the last session. It is going to make it possible, if you please, to raise salaries all the way from \$200 to \$2,000 a year while at the same time it discriminates against many, especially every soldier and sailor in the Army and Navy of the United States. This is another thing of vital importance that I think everybody is interested in and I ask every Member of this Congress, without regard to his politics, to carefully study these proposals. In the interest of good government, in the interest of fair play, every section of this legislation that has been proposed on the Senate side should receive the closest possible attention of each individual Member of this House, so that when we bring the bill back here, as we will have to bring it back, we can understand its content and be able to vote intelligently upon the different proposals.

Mr. WOODRUM. Mr. Speaker, reserving the right to object, and of course I shall not object, I wish to make a very brief statement in reply to what the gentleman from New York said on yesterday and repeated again to-day about the attitude of the Democrats in the House of Representatives on this question of giving authority to the President to reorganize governmental departments, and so forth, and to eliminate useless activities.

The gentleman has forgotten the record made in the last Congress. The Democrats voted to give a Republican President broad and sweeping powers to reorganize, consolidate, and eliminate useless Government bureaus.

Mr. SNELL. Mr. Speaker, will the gentleman yield right there for a short question?

Mr. WOODRUM. I yield for a brief question.

Mr. SNELL. What became of his recommendations when they reached the House of Representatives?

Mr. WOODRUM. I am coming right to that.

What did the President do with the power we gave him? He did nothing whatever with it all summer long, until Congress convened in December, when he sent up here a plan of reorganization that even his own representative, the Director of the Budget, said ought not to be adopted, but should be left for the Democratic administration to take up. [Applause.]

Mr. SNELL. Mr. Speaker, will the gentleman yield further?

Mr. WOODRUM. I yield.

Mr. SNELL. We gave him that authority at the last end of the session. He presented his recommendations to Congress the very first day he was able to present them, but the Democrats were bound by caucus to vote against every one of them without even reading them.

Mr. WOODRUM. Oh, of course, of course. Any sensible man who would carefully study and analyze the plan the President sent up would see it was absolutely impossible, just as was pointed out by the distinguished Senator from Connecticut [Mr. BINGHAM] in a radio address made some time ago and put in the RECORD.

What did the President do? He tore apart certain governmental activities and then slapped them together, scrambled them together, and sent them up here calling it a plan of reorganization with no suggestion whatever as to any tangible saving in money or any benefit from the standpoint of efficiency.

The only two reasons for consolidation would be, first, efficiency, and, second, economy. So far as I am concerned, I think a whole lot of unnecessary fuss is being made about it anyway, because it would not amount to so very much if you eliminated entirely every one of these independent establishments. It would only take about \$56,000,000 out of the Budget. It is much ado about nothing so far as the purely independent establishments are concerned. There are, no doubt, many places in the executive departments where there could be substantial savings by reorganization and coordination.

An examination of the plan the President sent to Congress showed the remarkable and startling fact that he had taken bureaus and activities one after another and slapped them together without once conferring or advising with the heads of the respective departments or anybody in Congress who ought to have accurate information as to what the effect of that consolidation would be.

I can name bureau after bureau that the President undertook to consolidate without ever securing accurate information from the activities affected. So, what happened when the plan was suggested here? The Democrats in Congress said, in effect, "We still affirm our belief that there ought to be consolidation, reorganization, and elimination; but it is on the eve of a new administration, and the facts show that this matter has not had the careful, logical, and orderly consideration it ought to have, and the whole matter ought to go over until a new administration comes in."

The Democrats stand to-day where they stood a year ago when they gave this authority to your Republican President. We are willing to give ample and adequate authority to the President of the United States to make the needed consolidations and reorganizations, because, for one, I believe that you will never get them unless we do give such power to the President.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. WILLIAMSON. The gentleman does not contend that the authority granted to the President here is at all parallel with the authority granted to the President at the last session of Congress?

Mr. WOODRUM. I think we are giving broader power and that we ought to give broader power to the President.

I should be willing to give broader power to your Republican President if he would do the job, and the gentleman knows that during the last 12 years these bureaus and departments have been growing and expanding all over the face of the earth and the Chief Executive could have come to the Congress with an orderly program to reorganize and consolidate these bureaus had he wanted to do so.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. WOOD of Indiana. The gentleman is mistaken that the President had 12 years to do all these things. As a matter of fact the President consolidated every one of the functions of government that it was possible for him to consolidate without taking upon himself legislation that it is the duty of this body to enact.

Mr. POUL. Mr. Speaker, reserving the right to object, whatever may have been anybody's attitude in the past, there are a few things we do know, and one of them is that Government expenditures have steadily mounted and that every effort to reduce Government expenses has so far been a failure.

Here we have a simple proposal to send a nine hundred and forty-odd million dollar bill to conference and we find ourselves engaged in a political discussion. Gentlemen point over here and say, "You Democrats took such and such a position in the past; what are you going to do about it now?"

I do not think at this time anybody gives a continental what position anybody took in the past. [Applause.] The time has come when something has got to be done to radically reduce Government expenditures; and it seems, as every effort to accomplish this has failed in the past, it would be practical to put the power in the hands of the incoming President and hold him responsible for results. As everything else has failed, let us give the necessary power to the President.

With 12,000,000 people idle, with the price of commodities far below the cost of production, with hungry people walking the streets in every city begging for something to eat, we ought not to be quibbling about what the majority did or what the minority did or what position some one took in the past. I think it is time to rise above all this, as we did during the war, and put country first, because I say to you, my brethren of the House of Representatives, this is the most serious moment in all the peace-time history of this country; and unless Congress and the President can bring about radical reduction in expenses, it may be that there will be a clean-out of the House and the Senate and somebody will be put here who can and will accomplish this.

The situation in the Nation is very, very serious. In places the attitude of conservative men and women has reached the danger point, and I do say the time has come when autocratic power to reduce governmental cost should be put in the hands of somebody who can be trusted, because it has been proven in the past that wherever you try to reduce expenses, there is always a reason why you must not touch this thing, and you must not touch that thing, and you must not touch this department and you must not touch that department, and in the end nothing is done. You all know this is so, whether you are Democrats or Republicans, or whatever you may be.

I pray God that He give me strength to put the good of my country above party every minute that I shall be permitted to remain here for the balance of my life. So long as this depression continues, our duty is perfectly plain. [Applause.] I am unworthy to sit here if I play politics when the distress of my country is so unspeakably great. You can charge that I am saying this for political effect, if you want to, but as the Lord God is my judge, I know it is not said for any such purpose. My life is largely behind me. I can have very little concern, I hope, except the good of my country, and I have seen Government expenses mount and mount and mount until the time has come, my friends, to call a halt. Let us adjourn politics for a while and address ourselves to the task that we know is ours—the bringing down of the cost of government, even though it becomes

necessary to cut off an arm or to pluck out an eye. [Applause.]

Mr. CHINDBLOM. Reserving the right to object.

Mr. BLANTON. Mr. Speaker, I ask for the regular order.

The SPEAKER. The gentleman from Texas demands the regular order.

Mr. BLANTON. I will withhold it for the present.

Mr. DYER. Mr. Speaker, I should like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DYER. We are proceeding now under a request for unanimous consent.

The SPEAKER. That is correct.

Mr. DYER. I give notice that I will not object to the gentleman from Illinois, but I shall object to any further debate.

The SPEAKER. The gentleman from Missouri gives notice that he will demand the regular order.

Mr. MURPHY. Let him demand it now.

The SPEAKER. The gentleman from Illinois reserves the right to object.

Mr. PATMAN. Mr. Speaker, I am inclined to object unless I am given some time.

Mr. HUDDLESTON. That is unfair. No Member can hold up the House in such a fashion.

Mr. CHINDBLOM. Mr. Speaker, reserving the right to object, I want to say that a year ago, when this matter was before the House, I urged that plenary power should be given the President to consolidate and reorganize, and if necessary in proper cases to eliminate and abolish Federal activities.

We will never succeed in reducing expenses of the Federal Government until that power is lodged somewhere. Not only in this House, but during the campaign, I criticized the majority for having grudgingly given the power to the present President with conditions which prevented successful operation. What happened? The House of Representatives was able to veto the action taken by the President by a simple House resolution, as it did a few days ago.

I am in favor of giving the President every power we can possibly give him within the bounds of the Constitution. I think if we examine the Senate amendments closely we will find that the power given to the President is more acceptable than we believe now. I call attention to section 403, paragraph (c), where the power is given to abolish the whole or any part of an executive agency, but in paragraph (d) it is provided that the President shall not have the authority to transfer executive departments and functions thereof. Upon proper examination we will find that these provisions are not as objectionable as some think they are.

I for one, knowing that there is absolutely no other way in which Government functions and expenditures can be reduced, am willing that the incoming Democratic control shall go as far as it can in giving the President authority to curtail and eliminate the enormous expenditure of these governmental agencies. [Applause.]

Mr. Speaker, I spoke along these lines in debate here on March 15 of last year, and on July 8, 1932, I made the following statement in the House:

There is only one way in which any considerable and permanent reduction of the Federal Budget can be obtained. That is by dismantling and discontinuing activities, services, bureaus, boards, and commissions which are performing functions not strictly or necessarily of Federal character or even contemplated by the Constitution of the United States. They have been established on the ground that they promote the "general welfare" of the people in many relations and include services and interests which have widespread sympathy and support throughout the country. Broadly speaking, these services and interests are: Public health; education; conservation of natural resources; aids to agriculture, labor, industry, trade, aviation, and the merchant marine; and public buildings and public parks. It would be possible to curtail the activities of many of these departments and bureaus and to permanently eliminate some of them from the National Budget, but doubtless vehement and voluminous protests would arise from large groups and many individuals who are directly benefited by the maintenance of these activities.

If the campaign for any considerable reduction of Federal taxation is to succeed, it must address itself to the objects and purposes for which taxes are collected and spent, not merely to pos-

sible efficiency and economy in the use of appropriations or in the expenditure of taxes. The appropriations themselves must be eliminated, not merely curtailed or controlled. These trees in the National Treasury forest must be uprooted and destroyed, not merely trimmed and conserved for future growth.

The only hope of the Federal taxpayer for permanent relief from his onerous burdens lies in the President of the United States, to whom Congress should grant the authority, * * * without interference even by Congress itself, to reduce expenditures, and advance efficiency in the executive departments, which are constitutionally under his management.

Mr. Speaker, those are my views, whether the President or the Congress be Republican or Democratic; whether the task was to be performed by the outgoing administration or will be undertaken by the new régime after March 4. If our friends across the aisle and their President elect will devote themselves sincerely to this great cause, I say earnestly more power and honor to them.

The SPEAKER. The gentleman from Illinois asks unanimous consent to disagree to the Senate amendments and ask for a conference.

Mr. BLANTON. Mr. Speaker, I demand the regular order.

Mr. SCHAFER. I object.

Mr. POU. Mr. Speaker, I call up House Resolution 373, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 373

Resolved, That immediately upon the adoption of this resolution the bill H. R. 13520, with Senate amendments thereto, be, and the same hereby is, taken from the Speaker's table, to the end that all Senate amendments be, and the same are, disagreed to and a conference is requested with the Senate upon the disagreeing votes of the two Houses.

Mr. POU. Mr. Speaker, objection to sending the bill to conference has made necessary the calling up of the resolution which has been read from the Clerk's desk. Inasmuch as there has been considerable comment upon the legislation that has been added to the bill in the Senate, inasmuch as there has been considerable debate on both sides, unless it is otherwise desired, I move the previous question.

Mr. PURNELL. Mr. Speaker, will the gentleman yield?

Mr. POU. Yes.

Mr. PURNELL. Merely to say that we are not opposed to the adoption of the rule. The purpose which was sought to be accomplished by the minority leader yesterday has been served already, and we are willing to have the matter go to a vote.

Mr. POU. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

Mr. POU. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 327, nays 1, not voting 99, as follows:

[Roll No. 157]

YEAS—327

Adkins	Brand, Ohio	Clarke, N. Y.	Dickstein
Allen	Briggs	Cochran, Mo.	Dies
Allgood	Browning	Cochran, Pa.	Disney
Almon	Brumm	Cole, Iowa	Dominick
Andresen	Buchanan	Cole, Md.	Doughton
Andrew, Mass.	Bulwinkle	Colton	Douglass, Mass.
Andrews, N. Y.	Burch	Condon	Dowell
Arentz	Burdick	Connery	Doxey
Arnold	Burtness	Cooper, Ohio	Drane
Ayres	Busby	Cooper, Tenn.	Driver
Bachmann	Campbell, Iowa	Cox	Dyer
Barbour	Campbell, Pa.	Coyle	Eagle
Barton	Canfield	Crail	Eaton, Colo.
Beam	Cannon	Cross	Ellzey
Beck	Carden	Crosser	Englebright
Beedy	Carter, Calif.	Crowe	Erk
Biddle	Cartwright	Crowther	Eslick
Black	Cary	Culkin	Estep
Bland	Castellow	Cullen	Evans, Calif.
Blanton	Chapman	Darrow	Evans, Mont.
Bloom	Chavez	Davenport	Fernandez
Boehne	Chindblom	Davis, Pa.	Fiesinger
Bohn	Chiperfield	Davis, Tenn.	Fish
Boileau	Christgau	Delaney	Fishburne
Boland	Christopherson	De Priest	Fitzpatrick
Bolton	Clancy	DeRouen	Flannagan
Bowman	Clark, N. C.	Dickinson	Flood

Frear	Johnson, Wash.	Moore, Ky.	Somers, N. Y.
Free	Jones	Moore, Ohio	Sparks
French	Kading	Morehead	Spence
Fulbright	Keller	Murphy	Stafford
Fuller	Kemp	Nelson, Me.	Stalker
Fulmer	Kennedy, Md.	Nelson, Mo.	Steagall
Gambrell	Kerr	Niedringhaus	Stevenson
Garber	Ketcham	Nolan	Stokes
Gibson	Kinzer	Norton, Nebr.	Strong, Kans.
Gifford	Kleberg	Norton, N. J.	Strong, Pa.
Gilchrist	Knutson	Oliver, Ala.	Stull
Gillen	Kunz	Owen	Summers, Wash.
Glover	Kurtz	Palmisano	Sumners, Tex.
Goldsbrough	Kvale	Parker, Ga.	Sutphin
Goodwin	Lambertson	Parker, N. Y.	Swank
Goss	Lambeth	Parks	Swanson
Gregory	Lamneck	Parsons	Sweeney
Griffin	Lanham	Partridge	Swick
Griswold	Lankford, Ga.	Patman	Taber
Guyer	Lankford, Va.	Patterson	Tarver
Hadley	Larrabee	Person	Taylor, Colo.
Haines	Leavitt	Pettengill	Thatcher
Hall, Ill.	Lehlbach	Pittenger	Thomason
Hall, N. Dak.	Lewis	Polk	Thurston
Hancock, N. Y.	Lichtenwalner	Pou	Timberlake
Hare	Loofbrow	Prall	Tinkham
Harlan	Lovette	Pratt, Harcourt J.	Turpin
Hart	Lozier	Purnell	Underhill
Hartley	Luce	Ragon	Underwood
Hastings	Ludlow	Rainey	Vinson, Ga.
Hawley	McClintic, Okla.	Ramseyer	Vinson, Ky.
Hess	McClintock, Ohio	Ramspeck	Warren
Hill, Ala.	McDuffie	Rankin	Wason
Hill, Wash.	McFadden	Ransley	Watson
Hoch	McGugin	Rayburn	Weaver
Hogg, Ind.	McKeown	Reilly	Weeks
Hogg, W. Va.	McReynolds	Rich	Welch
Holaday	McSwain	Robinson	West
Hollister	Maas	Rogers, Mass.	White
Holmes	Magrady	Rogers, N. H.	Whitley
Hooper	Major	Romjue	Whittington
Hope	Manlove	Sabath	Williams, Mo.
Horr	Mansfield	Sanders, Tex.	Williams, Tex.
Houston, Del.	Mapes	Sandlin	Williamson
Howard	Martin, Mass	Schafer	Willson
Huddleston	Martin, Oreg.	Schneider	Wingo
Hull, Morton D.	May	Schuetz	Withrow
Hull, William E.	Michener	Seger	Wolcott
Jacobsen	Millard	Shallenberger	Wolverton
Jeffers	Miller	Shott	Wood, Ind.
Jenkins	Milligan	Simmons	Wood, Ind.
Johnson, Mo.	Mitchell	Sinclair	Woodruff
Johnson, Okla.	Mobley	Smith, Va.	Woodrum
Johnson, S. Dak.	Montague	Snell	Yon
Johnson, Tex.	Montet	Snow	

NAYS—1

Amlic

NOT VOTING—99

Abernethy	Crump	Johnson, Ill.	Reed, N. Y.
Aldrich	Curry	Kahn	Reid, Ill.
Auf der Heide	Dieterich	Kelly, Ill.	Rudd
Bacharach	Douglas, Ariz.	Kelly, Pa.	Sanders, N. Y.
Bacon	Doutrich	Kennedy, N. Y.	Seiberling
Baldrige	Drewry	Kniffin	Selvig
Bankhead	Eaton, N. J.	Kopp	Shannon
Boylan	Finley	LaGuardia	Shreve
Brand, Ga.	Foss	Larsen	Sirovich
Britten	Freeman	Lea	Smith, Idaho
Brunner	Gasque	Lindsay	Smith, W. Va.
Buckbee	Gavagan	Loneragan	Stewart
Byrns	Gilbert	McCormack	Sullivan, N. Y.
Cable	Golder	McLeod	Sullivan, Pa.
Carley	Granfield	McMillan	Swing
Carter, Wyo.	Green	Maloney	Taylor, Tenn.
Cavichia	Greenwood	Mead	Temple
Celler	Hall, Miss.	Mouser	Tierney
Chase	Hancock, N. C.	Nelson, Wis.	Treadway
Clague	Hardy	O'Connor	Wigglesworth
Collier	Haugen	Oliver, N. Y.	Wolfenden
Collins	Hopkins	Overton	Wright
Connolly	Hornor	Peavey	Wyant
Cooke	Igoe	Perkins	Yates
Corning	James	Pratt, Ruth	

So the resolution was agreed to.

The Clerk announced the following pairs:

General pairs:

Mr. Maloney with Mr. Bacon.
 Mr. Rudd with Mr. Bacharach.
 Mr. Hornor with Mr. Reed of New York.
 Mr. Sullivan of New York with Mr. Shreve.
 Mr. Auf der Heide with Mr. Hopkins.
 Mr. McCormack with Mr. Smith of Idaho.
 Mr. Tierney with Mr. Britten.
 Mr. Douglas of Arizona with Mr. Selvig.
 Mr. Corning with Mr. Kopp.
 Mr. Shannon with Mr. Connolly.
 Mr. O'Connor with Mr. Perkins.
 Mr. Gilbert with Mr. McLeod.
 Mr. Drewry with Mr. Aldrich.
 Mr. Collier with Mr. Reid of Illinois.
 Mr. Lindsay with Mr. Cavichia.
 Mr. Kelly of Illinois with Mr. Treadway.

Mr. Bankhead with Mr. Carter of Wyoming.
 Mr. Loneragan with Mr. James.
 Mr. Boylan with Mr. Wolfenden.
 Mr. Collins with Mr. Golder.
 Mr. Mead with Mr. Foss.
 Mr. Crump with Mrs. Pratt.
 Mr. Oliver of New York with Mr. Nelson of Wisconsin.
 Mr. Smith of West Virginia with Mr. LaGuardia.
 Mr. Green with Mr. Baldridge.
 Mr. Wright with Mr. Clague.
 Mr. Hall of Mississippi with Mr. Buckbee.
 Mr. Dieterich with Mr. Kelly of Pennsylvania.
 Mr. Overton with Mr. Doutrich.
 Mr. Kniffin with Mr. Eaton of New Jersey.
 Mr. Brand of Georgia with Mr. Wyant.
 Mr. McMillan with Mr. Taylor of Tennessee.
 Mr. Byrns with Mr. Wigglesworth.
 Mr. Celler with Mrs. Kahn.
 Mr. Sirovich with Mr. Cable.
 Mr. Granfield with Mr. Mouser.
 Mr. Kennedy of New York with Mr. Sieberling.
 Mr. Brunner with Mr. Temple.
 Mr. Stewart with Mr. Yates.
 Mr. Igoe with Mr. Hardy.
 Mr. Hancock of North Carolina with Mr. Finley.
 Mr. Gavagan with Mr. Curry.
 Mr. Carley with Mr. Chase.
 Mr. Greenwood with Mr. Cooke.
 Mr. Larsen with Mr. Freeman.
 Mr. Gasque with Mr. Sullivan of Pennsylvania.
 Mr. Lea with Mr. Peavey.
 Mr. Abernethy with Mr. Haugen.
 Mr. Swing with Mr. Sanders of New York.

Mr. CONNERY. Mr. Speaker, the gentleman from Massachusetts [Mr. McCORMACK] is unavoidably absent. He asked me to state that if he were here he would vote yea. Also, the gentleman from Connecticut [Mr. TIERNEY] is unavoidably absent, and he asked me to state that if he were here he would vote yea.

Mr. LONERGAN. Mr. Speaker, I was detained in my office on official business. If I had been present, I would have voted "aye."

The result of the vote was announced as above recorded.

The Chair appointed the following conferees: Mr. BYRNS, Mr. ARNOLD, Mr. LUDLOW, Mr. WOOD of Indiana, and Mr. THATCHER.

DEPARTMENT OF INTERIOR APPROPRIATION BILL, FISCAL YEAR 1934

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 13710) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1934, and for other purposes, with Senate amendments thereto, disagree to all of the amendments, and ask for a conference.

The SPEAKER. The gentleman from Colorado asks unanimous consent to take from the Speaker's table the bill H. R. 13710, the Department of the Interior appropriation bill, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The Chair appointed the following conferees: Mr. TAYLOR of Colorado, Mr. HASTINGS, Mr. GRANFIELD, Mr. MURPHY, Mr. FRENCH.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1934

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 13872) making appropriations for the Department of Agriculture, for the fiscal year ending June 30, 1934, and for other purposes, with Senate amendments thereto, disagree to all of the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Texas asks unanimous consent to take from the Speaker's table the Agricultural Department appropriation bill, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The Chair appointed the following conferees: Mr. BUCHANAN, Mr. SANDLIN, Mr. HART, Mr. SIMMONS, Mr. SUMMERS of Washington.

ORDER OF BUSINESS

Mr. SNELL. Mr. Speaker, I think it would be a good idea if the gentleman from Illinois [Mr. RAINEY] were to announce the program for to-morrow.

Mr. RAINEY. To-morrow we will consider the District of Columbia appropriation bill, under general debate, and nothing else.

FRANK D. WHITFIELD

The SPEAKER. By order of the House, this is Private Calendar day, and the Clerk will call the calendar, beginning where the order of the House directed.

The first business on the Private Calendar was the bill (H. R. 6461) for the relief of Frank D. Whitfield.

The SPEAKER. Is there objection?

Mr. EATON of Colorado. Mr. Speaker, I object.

Mr. McSWAIN. Mr. Speaker, will the gentleman reserve his objection?

The SPEAKER. Is the gentleman from Colorado going to finally object to the bill?

Mr. EATON of Colorado. I do not know. The gentleman from South Carolina may have an explanation for the bill.

Mr. McSWAIN. Mr. Speaker, I am taking this time because I believe I can show the gentleman from Colorado that this bill ought not to be objected to. When this man was drafted into the service in Alabama he was disabled, as the report shows. The two last fingers of his hand were clasped [indicating] on the palm of the hand in this fashion, and the other fingers held in this way, so that it would be physically impossible for him to handle a rifle. He reported to Camp Wheeler, in Georgia. While there, on the 4th of February, he received a telegram that his brother was dead at Toccoa, Ga.

He asked leave of absence to go to his brother's funeral. The lieutenant in command of the company, a man by the name of Phames, as is substantiated by his own affidavit, said, "Yes; you can go home, and you can stay. We are going to discharge you for physical disability," and the lieutenant loaned him the money with which to go to his brother's funeral. He went. He stayed in uniform until May of that year when the sheriff, thinking he was a deserter, called up the authorities, as the testimony shows, and asked them, "Do you want this man Whitfield there? I have got him under arrest." They said, "No; we do not want him." Then he remained at Toccoa, Ga., until 1921, when the clean-up squad of the ex-service men were going around asked him why he did not apply for his \$60 bonus. He said, "All right; I will do so." Then it was discovered for the first time that he did not have a regular paper discharge. The same sheriff, hoping to make the \$50 reward, arrested him and took him to Columbia, S. C., where he was held and where he was discharged by order of the War Department, not tried as a deserter, but discharged by order of the War Department on the 14th day of March, 1921, and I have here a certified copy of the order of discharge on the ground of physical disability.

Mr. EATON of Colorado. Will the gentleman yield?

Mr. McSWAIN. I yield.

Mr. EATON of Colorado. Is it the contention of the gentleman that this injury to his arm was received in the service?

Mr. McSWAIN. No, indeed. It was received prior to his induction into the service. He ought not have been drafted.

Mr. EATON of Colorado. Then why should he be put upon the pension roll of the United States Government at the present time?

Mr. McSWAIN. He is not asking for that.

Mr. EATON of Colorado. Oh, yes.

Mr. McSWAIN. There is an amendment to the bill.

Mr. EATON of Colorado. The bill provides that in the administration of laws "conferring rights, privileges, and benefits upon honorably discharged soldiers, he shall be considered to have been honorably discharged."

Mr. BLANTON. Will the gentleman yield?

Mr. McSWAIN. I yield.

Mr. BLANTON. That simply restores his right, as if he had never been dismissed with a dishonorable discharge. This man was sent home by order of his commanding officer. The commanding officer told him not to come back,

and this bill merely puts him back where he was before he was accused of desertion.

Mr. EATON of Colorado. Now, the gentleman does not believe that, although he may be repeating what somebody told him.

Mr. BLANTON. I am repeating what the record shows.

Mr. EATON of Colorado. No. What the man said, but not what the officer said.

Mr. BLANTON. I am repeating what the committee which investigated this matter said. They said that in their report. I have no interest whatever in this case, but whenever a man's commanding officer "tells him to go home, that he is in a crippled condition, and that he is going to be discharged anyway and there is no use of his coming back," that man ought to rely on what his commanding officer tells him, and I think this is a deserving bill. The committee recommends that it be passed, and I have only repeated just what the committee has found as a fact.

Mr. EATON of Colorado. On account of those statements in support of this case, I therefore withdraw my objection, Mr. Speaker.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Frank D. Whitfield, who served as a private in Company F, One hundred and twenty-third Regiment United States Infantry, Army serial number 1348550, shall hereafter be held and considered to have been honorably discharged from the military service of the United States on March 14, 1921: *Provided,* That no back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendment:

Page 1, line 10, after the word "no," strike out the words "back pay, pension, or allowance shall be held to have accrued prior to the passage of this act," and insert the following: "bounty, back pay, pension, allowance, or any payment provided under the World War veterans' act, 1924, as amended, the World War adjusted compensation act, 1924, as amended, or other benefit whatsoever to which said person may be or become entitled to by law, shall be held to have accrued prior to the passage of this act."

The committee amendment was agreed to.

Mr. EATON of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EATON of Colorado: Page 1, line 8, strike out the word "honorably," and after the word "discharged" insert the words "under honorable conditions."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CLIFTON C. COX

The Clerk called the next bill, H. R. 9175, for the relief of Clifton C. Cox.

Mr. BLANTON. Mr. Speaker, this bill ought not to pass, because the passage of this bill would establish a bad precedent. Where a man enters a gambling game and loses his money he must be a good sport and take his medicine. He should not be a baby and want his money back. He should not take a gun and go to the men who won his money and make them dig up the money which he lost. This bill would approve of such unsportsmanlike acts. I know the Speaker is not in favor of that kind of a bill, and I am not in favor of it. I object. [Laughter.]

ERNEST LINWOOD STEWART

The Clerk called the next bill (H. R. 589) for the relief of Ernest Linwood Stewart.

Mr. EATON of Colorado. Mr. Speaker, I object.

Mr. CANFIELD. Will the gentleman reserve his objection?

Mr. EATON of Colorado. I will be glad to reserve it until the gentleman can explain the matter.

Mr. CANFIELD. This is a very worthy claim. If the gentleman from Colorado will look at the report he will find that this man was in the service in 1918 and 1919 and that his present condition is due, in the opinion of his physicians,

to exposure which he was subjected to while working in the navy yard in 1918 and 1919. This party does not live in my district. He lives in Washington, D. C., and I looked into the claim very thoroughly before I introduced the bill and considered it a very worthy claim or I would not have introduced the bill.

Mr. EATON of Colorado. The statement in regard to the claim shows that he is making claim for injuries received in May, 1914.

Mr. CANFIELD. And aggravated by exposure while working in the navy yard in 1918 and 1919, in an unheated shop that was being constructed in the Washington Navy Yard during very cold weather. This caused his physical condition to gradually grow worse, and in the spring of 1919 he became so badly crippled in his spine and feet that he was no longer able to work. From that time up to this he has gradually grown worse and is at the present time bedridden and unable to even turn over in his bed without assistance.

Mr. EATON of Colorado. The employees' compensation act under which these cases are considered went into effect September 7, 1916. As far as I know, during the Seventy-second Congress no one has been given the right to come under the employees' compensation act for consideration of a claim for an injury which happened prior to the date of the enactment of the act. It is the general custom that has applied to a number of cases. I have no doubt this is a very meritorious case, and I sympathize with the claimant and with the gentleman, but under the circumstances it would not be fair to all the other cases to permit this man to have a favor which has been denied to the others.

Mr. CANFIELD. This case was aggravated by exposure while in the service after the law was enacted and I feel should be passed.

Mr. EATON of Colorado. Mr. Speaker, I object.

DOMINIC FRACAPANE

The Clerk called the next bill, H. R. 1567, to reimburse Dominic Fracapane for injuries sustained in an accident with a Government-owned motor truck.

Mr. BACHMANN. Mr. Speaker, reserving the right to object, I think this bill is a good example of bills improperly prepared, and I do not want to be taken as criticizing the Committee on Claims, its chairman, or anybody else. I think the Members themselves are generally responsible and I think it is their neglect, but the fact is we lose a lot of time on the floor of the House in considering private bills to which we have to make so many amendments. Could we save the time taken to make these amendments more private bills could be considered.

This bill, Calendar No. 695, does not even show the date on which the accident happened. All these bills that are for a tort action in law ought to show the date so that when we pass a bill the bill will show on its face the date the accident happened. The bill ought to show the place, the city or town in the United States where the accident happened. The bill ought to contain a clause that it is in full settlement of all claims against the Government growing out of the particular accident so that another bill could not be introduced for the same claim. In addition to that, the bill should be so worded that it shows on its face for what accident we are compensating the claimant.

There are four separate amendments I would be compelled to make before I could permit this bill to pass. In addition, in these tort action bills, where an individual is the claimant, there ought to be a provision incorporating the usual attorneys' fees clause. Were these details taken care of before the bill is placed on the calendar it would save a great deal of time on the floor.

Mr. BLACK. Mr. Speaker, now that the gentleman has finished his lecture—

Mr. STAFFORD. Not lecture; dissertation.

Mr. BLACK. Yes, dissertation; it is extensive enough to be a dissertation. The gentleman from West Virginia has lectured this committee time and time again, and always without intending to criticize the committee.

Mr. STAFFORD. Without intending to criticize the chairman.

Mr. BLACK. Oh, never the chairman. Now, as a matter of fact, a private bill was submitted to the committee by the gentleman from West Virginia. I recall that it was given such careful consideration in executive session that the gentleman complimented us.

As the gentleman says, we waste a great deal of time because we have to amend these bills. The only reason we consent to the amendments in these cases is to save time that the objectors are responsible for using. We consent to these little technical amendments just to satisfy you gentlemen.

The gentleman makes the criticism that there is no date of the accident in the bill. The date of the accident appears in the report, and the location of the accident likewise appears in the report. This is the last case to criticize, because not only do we state the location of the accident but we even give the House a picture of the accident. We have done everything but give you a movietone picture of the accident.

Now, to be serious for a minute, I was going to ask the House to pass this bill. This is the first bill since I have been chairman of the Committee on Claims that has been reported for the gentleman from New York [Mr. LA GUARDIA], than whom there is no more careful man in this House. I was hoping there would be no objection. In view of the fact the gentleman from New York [Mr. LA GUARDIA] is to leave us, and in view of his splendid, careful work on this calendar and on the Unanimous Consent Calendar, as a tribute of respect to him and as a token of our confidence in him, I was going to ask that we pass this bill just as it is without any objection; and I am sure the gentleman from West Virginia will go along with me.

Mr. BACHMANN. I would like to, and especially in the case of this bill of all the bills we have got to consider here this afternoon, but this is one I have marked that I must object to for the reason the report very frankly and correctly shows, as I read it, that the responsibility for the accident is attributable to the negligence of the injured boy. Therefore, there is no negligence on the part of the Government.

Mr. BLACK. The gentleman is stating the conclusion of the post-office inspector, and that conclusion is based on his imagination, because the post-office inspector believes that this boy deliberately put out his foot in the back of the truck so that his foot could be run over.

If the gentleman reads the report carefully, the gentleman can come to no conclusion but that the inspector added something to the situation. This truck was on the sidewalk where the boy had a right to be. The boy was not in the middle of the street. The truck came up where no truck belonged and where the boy did belong, the sidewalk.

I know the gentleman likes to object in the early stages of the consideration of the Private Calendar, but I hope he does not take it out on this bill.

Mr. BACHMANN. Mr. Speaker, I am sorry, but I shall be compelled to object. I object.

HORACE G. KNOWLES

The Clerk called the next bill, H. R. 4040, for the relief of Horace G. Knowles.

Mr. GRISWOLD and Mr. HANCOCK of New York reserved the right to object.

Mr. BLANTON. Mr. Speaker, I would like to make this statement about this bill. There is one feature of it that the House ought to know about before it goes any farther. There was a bill passed in a former Congress, December 12, 1928, being Private Act No. 309 of the Seventieth Congress, which paid this man \$1,666.67, and that bill provided it should be in full settlement of all claims that this party had against the United States Government.

Whenever a bill has this kind of provision in it, I do not think a subsequent Congress ought to go behind it and grant an additional amount. This would set a bad precedent, and I wanted this one matter to be known to the House.

Mr. HOUSTON of Delaware. Will the gentleman yield?

Mr. BLANTON. I do not care to take up any further time.

Mr. GRISWOLD. I yield to the gentleman. I have the floor.

Mr. HOUSTON of Delaware. The former bill was not in full settlement, and if the gentleman will read the private act, he will find it is not in full settlement.

Mr. BLANTON. Private bill No. 309, Seventieth Congress, provides this—that same is “in full settlement against the Government.”

Mr. HOUSTON of Delaware. The language is “in full settlement against the Government there is hereby appropriated the sum of \$1,666.67 as salary for the period from March 30, 1909, to July 30, 1909.”

Mr. BLANTON. But it states “in full settlement.”

Mr. HOUSTON of Delaware. In full settlement for that period.

Mr. BLANTON. When a bill provides that the sum appropriated is “in full settlement,” no subsequent Congress ought to reopen the case and allow an additional amount. We must protect such acts of a previous Congress.

Mr. Speaker, I object.

JOHN PITKANEN

The Clerk called the next bill, H. R. 4067, for the relief of John Pitkanen.

Mr. HOPE. Mr. Speaker, I object.

Mr. JOHNSON of Washington. Will the gentleman withhold his objection a moment?

Mr. HOPE. Yes.

Mr. JOHNSON of Washington. Mr. Speaker, I would like to make a brief statement, and would like to have the attention of the gentlemen at the table.

I heard the statements made a few moments ago by the distinguished and hard-working gentleman from Colorado on the bill (Calendar No. 694), that after a certain date it had been agreed not to pay one year's compensation to those injured in the Federal service shortly before the passage of the act referred to. What was the date of the passage of that act?

Mr. EATON of Colorado. September 7, 1916.

Mr. JOHNSON of Washington. I do not ask the gentleman to repeat his statement, but I see here that the report must be in error, because it speaks of an act of a much earlier date. This man was injured March 9, 1915.

Mr. HOPE. Will the gentleman yield there?

Mr. JOHNSON of Washington. Yes.

Mr. HOPE. The report shows that this man was injured before the passage of the 1916 act and that he was compensated under the terms of the 1908 act and received one year's pay under the terms of that act.

Mr. PITTINGER. The report is in error as to the date of the act.

Mr. HOPE. But this man did receive one year's pay as provided by the act in force at the time of the injury.

Mr. PITTINGER. If the gentleman will yield, he received compensation under the old act of 1908. He received one year's pay, and that was all they could pay. Subsequent to that, we had this new compensation act which entitles a man under such conditions to more compensation. The compensation he received for this injury was very inadequate, wholly inadequate, and the Compensation Commission has said that he ought to have more compensation, and they are willing to entertain the claim, and that is all that this bill provides.

Mr. HOPE. Does not the Compensation Commission say it is a matter of policy that must be determined by the Congress?

Mr. PITTINGER. And Congress has done this in several cases.

Mr. HOPE. Not in this Congress, as I understand.

Mr. JOHNSON of Washington. That is the point I wanted to bring out. My impression is that bills of this kind were passed early in the last session of this Congress. Now, here is a most humble man, who has spent much more in hospital fees than he was ever paid under the previous in-

adequate act. He is still an invalid and his wife has had to act as surgeon and nurse and they live in a very remote place. Acts of this kind were passed repeatedly and we are informed now that by some rule, perhaps, of the Claims Committee—

Mr. RAMSPECK. Mr. Speaker, I demand the regular order.

Mr. JOHNSON of Washington. Will the gentleman withhold that a moment?

Mr. RAMSPECK. We are wasting too much time on these matters, Mr. Speaker. If the gentleman is going to object, he should object now and save time. I demand the regular order.

Mr. HOPE. I am compelled to object, Mr. Speaker.

Mr. JOHNSON of Washington. Mr. Speaker, I make the point of no quorum. If the gentleman wants to save time, let us save some time. If the gentleman will withhold his demand for the regular order until I can complete my statement, I will withdraw the point.

Mr. RAMSPECK. Mr. Speaker, if the gentleman who reserved the right to object will state that his mind is open in the matter, I shall withdraw my demand for the regular order, but if he is going to object, I want him to do it.

Mr. JOHNSON of Washington. I can complete my statement within three minutes. I withdraw the point of no quorum.

Mr. HOPE. I am willing to have the gentleman complete his statement.

Mr. RAMSPECK. Is the gentleman going to object after the gentleman completes his statement?

Mr. HOPE. I would rather hear the statement of the gentleman from Washington first.

Mr. JOHNSON of Washington. The report from the Claims Committee favors this bill. Now, then, if we have a rule of the Claims Committee, not an act of Congress, that they will not go back of September 3, 1916, when the compensation law was enacted, then why does the committee report bills and put them on the calendar, take up time to print them, and extend the hope of the claimant, when some Member of Congress, some organization, sub rosa, has come to a decision that they will not permit these bills to pass? Why are the bills reported in good faith by the committee?

Mr. EATON of Colorado. I resent the statement of the gentleman as to a sub rosa organization. If he will read the RECORD of the Seventy-second Congress, he will see that compensation claims were the subject of discussion on two different days in this House, and the whole policy of compensation was gone over, not by individuals, but by Members of the House, and the rule was made at that time.

Mr. SCHAFER. If the gentleman will yield, the discussion was by two or three Members, but the Claims Committee did not issue any rule of that kind.

Mr. JOHNSON of Washington. That is the condition that we have got ourselves in. I did not intend to imply any personal criticism.

Mr. EATON of Colorado. In answer to the gentleman from Wisconsin, I want to say that the discussion might have been by two or three Members or a half a dozen Members, but the RECORD contains the discussion, and the conclusion of the whole matter was by unanimous consent at the time, and they agreed upon the policy that no case should be approved of that went back prior to the date of the compensation act.

Mr. SCHAFER. Let me say that there was no unanimous-consent agreement contained in the RECORD.

Mr. PITTENGER. None at all.

Mr. JOHNSON of Washington. So, it appears, after all, that this bill was entitled to be introduced, and entitled to full consideration.

The SPEAKER. Is there objection?

Mr. HOPE. I object.

SADIE BERMI

The Clerk read the next bill on the calendar, H. R. 7040, for the relief of Sadie Bermi.

The SPEAKER. Is there objection?

Mr. HOLLISTER. Reserving the right to object, I would like to ask the gentleman to tell me what the condition of this claimant is now.

Mr. DYER. The report shows what the injuries were at the time. The statement of the physician is published in the report, but I wanted to present to the House information as to her present condition, and I made the inquiry of Doctor Weber, and he sent me a telegram which I received this morning in which he says that the claimant was injured on February 2, 1928, when struck by this automobile truck. She was rendered unconscious, brought to the hospital, and it was found that she had concussion of the brain, her scalp was lacerated, and there were contusions on her nose and left elbow.

Mr. HOLLISTER. That is in the report, but I am interested in her condition to-day.

Mr. DYER. The doctor says that after one year she has had complaints which indicate that her injuries are likely to remain permanent. She now has impaired hearing, frequent attacks of dizziness, severe headaches, and is very nervous and unstable, and her state of mind is such that her confidence in herself because of the injuries is destroyed. Mr. Speaker, she was very badly injured. The report of the department recommends the legislation which is before the House at this time. This is one of the most meritorious claims that could possibly be before the House.

By permission of the House, I insert herewith the telegram to which I have referred:

ST. LOUIS, MO., February 9, 1933.

Congressman L. C. DYER,
House of Representatives Office Building,
Washington, D. C.

DEAR SIR: Miss Sadie Bermi, now Mrs. Sadie Bermi Fredman, was injured by United States mail truck February 2, 1928, was rendered unconscious and brought to hospital immediately. Upon examination following was found concussion of brain, lacerated scalp, contusion of nose, contusion of left elbow, hematoma of scalp, impairment of hearing of left ear, nervousness, and emotional instability. Remained in hospital until February 19, 1928; was treated thereafter for about one year. At present has following complaints, which are likely to remain permanently: Impaired hearing, frequent attacks of dizziness, severe headaches, still very nervous and unstable emotionally. Above complaints have proved very distressing in her daily life, and have destroyed her confidence in herself.

S. WEBER, M. D.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That there be paid, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 to Sadie Bermi, of St. Louis, Mo., to compensate her in full for all claims she may have against the United States arising out of injuries received by her from being struck by an automobile truck belonging to the United States Government in the city of St. Louis on the 2d day of February, 1928.

With the following committee amendment:

At the end of the bill insert: "Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to; and the bill as amended ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

M. J. LOBERT

The next business on the Private Calendar was the bill (H. R. 7761) for the relief of M. J. Lobert.

The SPEAKER pro tempore. Is there objection?

Mr. GRISWOLD. Mr. Speaker, I reserve the right to object in order to ask whether there is any report here from the Department of Justice.

Mr. PITTENGER. I think there is quite a voluminous file in this case.

Mr. GRISWOLD. Will the gentleman tell us what the Department of Justice says about it?

Mr. PITTENGER. Oh, the Department of Justice never recommends that Congress pay out any money that has ever gotten into the Treasury. I spent two or three days going over the files, and if the gentleman wants to he can read them, but the facts and conclusions are all set forth.

Mr. GRISWOLD. Are the facts as given by the department in conformity with these facts?

Mr. PITTENGER. Yes; everything that I have said in this statement is correct.

Mr. HOLLISTER. Mr. Speaker, there is an intimation here that the criminal was finally convicted, but the report is not very clear in that respect.

Mr. KLEBERG. The criminal was convicted and given an 18 months' suspended sentence.

Mr. HOLLISTER. Why is the payment being made to the widow? Would it not be properly made to the estate? Can the gentleman assure us that the widow is the estate?

Mr. KLEBERG. Yes; the widow is the estate.

Mr. BLANTON. Are there any children?

Mr. KLEBERG. There is one son. The widow is the estate of the deceased.

Mr. STAFFORD. Mr. Speaker, the difficulty I had with this case may have been removed by the gentleman's statement. The report, as I read it, was that the criminal was discovered a year and a half afterwards in the prison at Little Rock.

Mr. KLEBERG. I think the gentleman will find that it was within the same year.

Mr. STAFFORD. The question I am more interested in is whether the criminal was afterwards arrested and punished for the act for which the bond was given.

Mr. KLEBERG. Yes.

Mr. BLANTON. And he went to the penitentiary.

Mr. PITTENGER. The answer to the gentleman's question is "yes."

Mr. STAFFORD. There is nothing in the report of the solicitor to indicate that.

Mr. PITTENGER. It is in the records submitted to the committee.

Mr. STAFFORD. So far as my difficulty is concerned that answers the objection that we have to these cases of reimbursing sureties. I can see no objection to it.

Mr. DYER. Mr. Speaker, there is a number of such cases as this, where a bond is forfeited and judgment is entered; and even if the defendant in the cast is brought into the court the next day and sentenced and punished, there is no way at present by which the money can be recovered. The Treasury Department solicitor has decided, in view of the decisions of the Attorney General, that in no case can this money be returned by the Government unless the United States attorney will recommend that there is a question about the ability to collect it. Something ought to be done in these matters. We can not come to the House through the Committee on Claims in all these cases.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. DYER. Yes.

Mr. BLANTON. During the eight years that I was on the circuit bench I had a practice of entering judgment nisi, but holding the matter up until the surety could have an opportunity to produce the defendant.

Mr. DYER. That is in a State court.

Mr. BLANTON. Yes; and if the defendant were produced within a reasonable time, final judgment was not entered. There is no such practice in the Federal courts, unfortunately. They do not give the surety ample time to produce the defendant. In this case the surety went to work and hunted up the criminal, found him, and produced him. He happened to be in the penitentiary.

Mr. DYER. I know of several cases where the surety has gone to great expense in hunting up the defendant and bringing him into court. He has been tried, has pleaded

guilty, and has been punished, and yet not one dollar have the sureties been able to recover.

The SPEAKER pro tempore. Is there objection?

There was no objection, and the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Josephine Lobert, widow of M. J. Lobert, the sum of \$1,632.68, representing judgment in the amount of \$1,632.68, secured to the United States for the United States District Court of the Western District of Texas against M. J. Lobert, on account of bond of \$1,500, for the appearance of Johnnie (Jack) Wander (Wunder), charged with a violation of the motor vehicle theft act, which bond was forfeited by reason of the failure of the said defendant to appear, and \$132.68 being court costs, paid into court on December 31, 1929, and deposited by the United States marshal for the western district of Texas, and covered into the Treasury of the United States on January 9, 1930.

With the following committee amendment:

Page 1, line 5, after the word "to," insert "Mary Josephine Lobert, widow."

Page 2, after the figures "1930," insert "Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

Mr. DYER. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. DYER: Page 2, line 1, after the word "the" and before the word "motor," insert the word "National."

The amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended to read: "A bill for the relief of Mary Josephine Lobert."

FRANK A. FAIN

The Clerk called the next bill, H. R. 9435, for the relief of Frank A. Fain.

Mr. GRISWOLD. Mr. Speaker, I object.

JOSEPH T. RYERSON & SON (INC.)

The Clerk called the next bill, H. R. 10170, authorizing adjustment of the claim of Joseph T. Ryerson & Son (Inc.). There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of Joseph T. Ryerson & Son (Inc.) for \$135.08 on account of certain brass angles furnished to the Navy Department under contract No. N251s-16622, dated December 7, 1929, and to allow not exceeding \$112.55 in full and final settlement of said claim. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$112.55, or so much thereof as may be necessary, for payment of said claim.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NELLIE OLIVER

The Clerk called the next bill, H. R. 8619, for the relief of Nellie Oliver.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That in the administration of any laws conferring, rights, privileges, and benefits upon honorably discharged enlisted men Robert Oliver, alias John Lear, deceased, who was a member of Company C, Thirtieth Regiment New Hampshire Volunteer Infantry, shall hereafter be held to have been honorably discharged from the military service of the United States as a member of that organization on the 6th day of July, 1864: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Mr. COCHRAN of Missouri. Mr. Speaker, I notice that this bill is for the relief of Nellie Oliver, and in the body of the bill it refers to one Robert Oliver. Nellie Oliver is not mentioned in any way. I move that the bill be amended so that the title will conform to the text, or amend the bill and place the widow's name therein.

Mr. ROGERS. Nellie Oliver is the widow.

Mr. HANCOCK of New York. Mr. Speaker, I notice the uniform practice seems to be to use the phrase "under honorable conditions" rather than "honorably discharged," and I suggest that amendment.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK of New York: Page 1, line 8, strike out the word "honorably" and insert after the word "discharged" the following: "under honorable conditions."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, the title will be amended.

Mr. STAFFORD. Mr. Speaker, I ask recognition as far as the correction of the title is concerned. We can not come to the relief of a dead person. The body of the bill shows that this is to virtually give pension privileges to a soldier who is now dead.

Mr. ROGERS. It is for the relief of the widow.

Mr. STAFFORD. It does not show apparently in the body of the bill that Nellie Oliver is the widow, but there must be some record somewhere showing that Nellie Oliver is the widow.

Mr. ROGERS. I can state that as a fact, that Nellie Oliver is the widow, and it is so shown in the report.

Mr. STAFFORD. Then, as this is a bill for the relief of his widow, and not for the relief of a dead person, the title is correctly stated.

Mr. COCHRAN of Missouri. The gentleman from Wisconsin is setting a precedent here.

Mr. STAFFORD. The fact is that we have never passed an act for the relief of a dead person.

Mr. COCHRAN of Missouri. But when we pass this act, the widow automatically becomes the beneficiary of the Pension Bureau.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent to vacate the proceedings by which the bill was passed, so as to offer an amendment.

The SPEAKER pro tempore. Without objection the proceedings by which the bill was passed will be vacated.

Mr. PARKER of Georgia. I object.

Mr. COCHRAN of Missouri. The bill has not been passed, and it is beyond the stage of objection.

Mr. PARKER of Georgia. I object to the unanimous-consent request of the gentleman from Wisconsin.

Mr. COCHRAN of Missouri. The gentleman can not object. The gentleman from Wisconsin is offering an amendment. It is in order to amend the bill.

Mr. STAFFORD. I offer an amendment. After the word "deceased," in line 5, add the following: "whose widow is Nellie Oliver."

Mr. PARKER of Georgia. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. PARKER of Georgia. I should like to ask the Speaker if this bill has already been passed?

The SPEAKER pro tempore. The bill has not been passed. Unanimous consent was secured to vacate the proceedings, and the gentleman from Wisconsin [Mr. STAFFORD] is now offering a perfecting amendment.

Mr. PARKER of Georgia. I objected.

The SPEAKER pro tempore. The Chair did not hear the gentleman, and the objection now comes too late.

Mr. COCHRAN of Missouri. The gentleman objects to what?

Mr. PARKER of Georgia. I object to the gentleman from Wisconsin asking unanimous consent to offer an amendment.

Mr. COCHRAN of Missouri. The objection came too late.

The gentleman has no right to object to an amendment. Mr. PARKER of Georgia. I objected for the reason that the bill had already been passed.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 1, line 5, after the word "deceased," insert the words "whose widow is Nellie Oliver."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CATHERINE L. MERRILL

The Clerk called the next bill, H. R. 8620, for the relief of Catherine L. Merrill.

Mr. BLANTON. Mr. Speaker, reserving the right to object, this man, Robert L. Merrill, so the War Department reports, was not mustered into the service until June, 1863. At the time he deserted, in September, he was awaiting court-martial on a charge of assault with intent to rape. Surely, after all these years, there having been a charge of this kind against the man, we ought not to restore him to an honorable status whereby a pension could be granted by the Government.

Mr. ROGERS. Mr. Speaker, will the gentleman withhold his objection to permit me to make a statement?

Mr. BLANTON. Certainly.

Mr. ROGERS. It appears this man first enlisted in August, 1862. He was honorably discharged in April, 1863, on account of physical disability. He reenlisted in May, 1863.

Mr. BLANTON. The date he was mustered in was June 20, 1863.

Mr. ROGERS. Yes; that is when he reenlisted, May 17, 1863.

Mr. BLANTON. And The Adjutant General says he deserted from that prison while awaiting trial for assault and battery with intent to commit rape. That was the last thing we heard of him during the Civil War, when he was under charge of a heinous offense for which men in some States can be strung up to a limb with a rope.

Mr. ROGERS. If the gentleman will permit, this man served actively during the period of hostilities in the Civil War.

Mr. BLANTON. Hostilities were going on, if I remember, through 1863, 1864, and a good part of 1865.

Mr. ROGERS. They were ended as of April 13, 1865. This man served honorably during all the period of hostilities. Upon his death he left a widow in desperate need.

Mr. BLANTON. With a charge of this kind against him, I do not think we should restore him to an honorable position that carries with it a pension for life from the United States.

Mr. Speaker, I object.

NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION

The Clerk called the next bill, H. R. 10138, to exempt from taxation certain property of the National Society of the Sons of the American Revolution in Washington, District of Columbia.

Mr. BLANTON. Mr. Speaker, I object.

Mr. HOLMES. Mr. Speaker, will the gentleman reserve his objection?

Mr. BLANTON. I may say in explanation to the gentleman from Massachusetts that this bill was introduced by one of our good friends whom everybody loved, who has gone from us. I should like to see anything we could do for him done, but we are establishing a bad precedent in continually exempting from taxation the property of various organizations. We ought not to extend such exemption to this organization. If we are going to extend it to this one, some day we will be called upon to extend it to the grandsons of so and so, and the great-granddaughters of so and so. I am not in favor of it.

If the gentleman wishes to make some remarks about the bill I will reserve my objection.

The SPEAKER pro tempore. If the gentleman is going to object ultimately, under the ruling of the Speaker yesterday we will proceed with the next case.

Mr. BLANTON. Mr. Speaker, ultimately I am going to object to every one of these bills giving to property exemption from taxation.

NATIONAL SOCIETY OF THE COLONIAL DAMES OF AMERICA

The Clerk called the next bill, S. 570, to exempt from taxation certain property used by the National Society of the Colonial Dames of America in the District of Columbia.

Mr. BLANTON. Mr. Speaker, I object.

NATIONAL SOCIETY UNITED STATES DAUGHTERS OF 1812

The Clerk called the next bill, S. 1203, to exempt from taxation certain property of the National Society United States Daughters of 1812 in the District of Columbia.

Mr. BLANTON. Mr. Speaker, I object.

Mr. PARKER of Georgia. Mr. Speaker, I make the point of order that no quorum is present.

Mr. BLANTON. Mr. Speaker, I move a call of the House. A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 158]

Abernethy	Curry	Hull, William E.	Reid, Ill.
Aldrich	Dieterich	Igoe	Rich
Auf der Heide	Douglass, Mass.	James	Rudd
Bacharach	Doutrich	Johnson, Ill.	Sanders, N. Y.
Bacon	Doxey	Johnson, S. Dak.	Selberling
Baldrige	Drewry	Kahn	Selvig
Bankhead	Eagle	Kelly, Ill.	Shannon
Boehne	Eaton, N. J.	Kelly, Pa.	Shreve
Boylan	Erk	Kemp	Simmons
Brand, Ga.	Finley	Kennedy, N. Y.	Sirovich
Brand, Ohio	Fish	LaGuardia	Smith, Idaho
Britten	Foss	Lankford, Ga.	Smith, W. Va.
Brumm	Freeman	Lankford, Va.	Snow
Brunner	Garber	Larsen	Stewart
Buckbee	Gasque	Lewis	Sullivan, N. Y.
Burdick	Gavagan	Lindsay	Sullivan, Pa.
Byrns	Golder	McLeod	Taylor, Tenn.
Carley	Granfield	McMillan	Temple
Cavichia	Green	Maloney	Tierney
Celler	Greenwood	Martin, Oreg.	Treadway
Chase	Hall, Miss.	Mead	Wigglesworth
Chipperfield	Hancock, N. C.	Mouser	Williams, Tex.
Clague	Hardy	Nelson, Wis.	Wolfenden
Collier	Hare	O'Connor	Wolverton
Connolly	Hartley	Oliver, N. Y.	Wood, Ind.
Cooke	Hawley	Overton	Wright
Cooper, Ohio	Holaday	Perkins	Wyant
Corning	Hopkins	Pratt, Ruth	Yates
Cox	Hornor	Reed, N. Y.	

The SPEAKER pro tempore. Three hundred and eleven Members are present, a quorum.

On motion of Mr. RAINEY, further proceedings under the call were dispensed with.

KATHERINE G. TAYLOR

The Clerk called the next bill, H. R. 1938, for the relief of Katherine G. Taylor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Katherine G. Taylor, superintendent Taylor Hospital, Ridley Park, Pa., the sum of \$159. Such sum shall be in full satisfaction of all claims against the United States for medical aid rendered to Laura Mae Kurtz as a result of being struck by United States Army Cadillac truck No. 60186 on March 20, 1929, near Ridley Park, Pa.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ARTHUR K. FINNEY

The Clerk called the next bill, H. R. 2188, for the relief of Arthur K. Finney.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur K. Finney, of Plymouth, Mass., the sum of \$108.77 in full compensation for two carloads of coal totaling 84.19 tons sold to the United States Government and delivered to the Federal building at Plymouth, Mass.

With the following committee amendment:

Line 7, after the word "for," insert the word "handling."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ED SYMES ET AL.

The Clerk called the next bill, H. R. 3848, for the relief of Ed Symes and wife, Elizabeth Symes, and certain other citizens of the State of Texas.

Mr. HOPE. Mr. Speaker, reserving the right to object, I should like to have a little general information. It appears this is a claim which arose from 10 or 11 years ago, and one which is disputed by the War Department. Can the gentleman from Texas give us some information why this bill comes here at this late date?

Mr. CROSS. A dam was built across the Brazos River at this place some years ago. Quite a flood came after that, and the dam caused the waters to go across the lands where these people lived. Some of their homes were washed away, and some of the land had washed away. All this bill does is to give them the right to go into court to prove the damages that may have been done to them.

Mr. HOPE. The dam was erected in 1919, as I understand it. When did the damage occur?

Mr. CROSS. The damage occurred two or three years after that, but the big flood came along only a few years ago. The old concrete dam stands there.

The gentleman understands that some years ago they put this dam in there on the Brazos River for the purpose of making it navigable. After this dam was built the project was abandoned. When this flood came the dam diverted the waters and caused it to wash away the homes of these people.

Mr. HOPE. The War Department denies any liability on the part of the United States Government. Does the gentleman know the basis of their denial of liability?

Mr. CROSS. The only question would be that this dam was built without any floodgates or anything in the middle of the stream; and I presume the contention would be that if the Government had put proper floodgates in the dam the damage would not have resulted. Of course, that would be a question of proof in court; and if they did not make out a case, they would not get any relief.

Mr. HOPE. The bill permits the claimants to go into the United States District Court for the Western District of Texas. Should not this case be filed in the Court of Claims if the Government gives permission to sue?

Mr. CROSS. To begin with, the parties live there and court is held in Waco, a few miles from where they live. It would be much more convenient both for the Government and for the parties themselves to have the case filed in the District Court for the Western District of Texas. All the claimants are poor people. If the case were filed in the Court of Claims, they would have to come all the way here, which would be an impossibility. Two or three of these parties are colored people. They could not get up here. They would be accessible to the court were they permitted to file the claim as provided in the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Ed Symes and wife, Elizabeth Symes; Wade Symes and wife, Pearl Symes; Mrs. Helen Symes Dodson and husband, D. S. Dodson; Howard Evans and wife, Mary Ann Evans; John L. Jones, and Leslie Stegall, all of McLennan County, Tex.; Mrs. Harry Loyd Lincoln, a widow who resides in the county of Carbon, Pa.; and Albert Symes Hunter, of Panama, Canal Zone, all being the sole heirs at law of Albert Symes and wife, Mrs. Sally J. Symes, each deceased, their heirs, legal representatives, executors, administrators, and assigns, any statutes of limitation being waived, are hereby authorized to enter suit in the United States District Court for the Western District of Texas for the Waco division for the amount alleged to be due said claimants from the United States by reason of the alleged neglect and alleged wrongdoing of the officials and engineers of the United States War Department in the location, erection, and construction of a lock and dam on the Brazos River, in McLennan County, Tex., in the year 1919, that said lock and dam was so erected and constructed at

such a point and in such a manner as to cause the river to overflow and cut a new channel across said lands, the overflow washing all of the soil off of said lands, thereby making it worthless for any purpose.

Sec. 2. Jurisdiction is hereby conferred upon said United States District Court for the Western District of Texas to hear and determine all such claims. The action in said court may be presented by a single petition making the United States party defendant, and shall set forth all the facts on which the claimants base their claims, and the petition may be verified by the agent or attorney of said claimants, official letters, reports, and public records, or certified copies thereof may be used as evidence; and said court shall have jurisdiction to hear and determine said suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found due from the United States to the said claimants by reason of the alleged negligence and erroneous construction of said lock and dam, upon the same principles and under the same measures of liability as in like cases between private parties, and the Government hereby waives its immunity from suit. And said claimants and the United States of America shall have all rights of appeal or writ of error or other remedy as in similar cases between private persons or corporations: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of said court, and upon such notice it shall be the duty of the Attorney General to cause the United States attorney in such district, or other representatives of the Department of Justice, to appear and defend for the United States: *Provided further*, That such suit shall be begun within 12 months of the date of the approval of this act.

With the following committee amendment:

Page 2, beginning in line 12, after the figures "1919," strike out the comma and the remainder of section 1; and on page 3, in line 3, strike out the word "shall" and insert the word "may."

The committee amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: On page 3, line 4, after the word "claimants," insert "but in no event shall interest be allowed as part of any damages that may be awarded."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

SARAH MADDOCKS FERGUSON

The Clerk called the next bill, H. R. 4064, for the relief of Sarah Maddocks Ferguson.

Mr. HOPE. Mr. Speaker, reserving the right to object, I call the attention of the author of the bill to the fact that this class of claims is one which the War Department ordinarily has refused to approve. In this case it seems that the War Department has approved the claim, and in view of that fact I am not disposed to object; but I should like to ask the gentleman if he would have any objection to an amendment providing that this shall be in full settlement of all claims against the Government.

Mr. JOHNSON of Washington. I shall be pleased to accept the amendment.

Mr. HOPE. And also the usual attorneys' fee amendment.

Mr. JOHNSON of Washington. I shall accept that.

Mr. GRISWOLD. Mr. Speaker, reserving the right to object, it appears in the report, as I read it, that this lieutenant colonel stored his goods for three years after he had left this place and that the fire occurred three years after he had gone, while he was in Washington or at some other post. There is a distinct provision of law that in such cases they shall only be reimbursed when the goods are lost while they are saving human life or Government property, which was not the case here at all.

Further along in the calendar there is another claim, based on the same state of facts, where the War Department recommends that the claim be not paid.

Mr. JOHNSON of Washington. Of course, I am dependent on the report. This is one of the routine matters that comes into the life of Members from districts where there are Army posts. As the gentleman will recall from reading the report, the War Department states with respect to this claim that settlement has not been made, owing to restricting decisions of the Comptroller General.

Mr. BLANTON. May I ask the gentleman this question? This would extend the law that Congress passed with rela-

tion to the destruction of property. This extends it to everyone, whether they come within the provisions of the law or not. Is the gentleman in favor of that?

Mr. JOHNSON of Washington. I can not tell until I learn the equities in each case. Here is the case of an officer sent about here and there on duty, not able to move his furniture. He was a lieutenant colonel and had a considerable amount of furniture. The man has since died and this is the claim of his widow, and the claim has been reduced in amount. It comes up in the routine way and the committee goes through it carefully. I did not even appear before the committee. I just wrote a letter stating the facts, and now the bill is on the calendar. My duty is to defend it and endeavor to pass it, and I believe equity requires reimbursement to the widow.

Mr. GRISWOLD. I would like to call the gentleman's attention to the fact that this man was relieved from duty at Fort Leavenworth in 1916. He left his goods stored at Government expense and went to the border. He was relieved from duty on the border and came to Washington and lived here for two years, leaving his goods stored all the time at Government expense.

Mr. JOHNSON of Washington. He was not relieved from duty in the Army.

Mr. GRISWOLD. He was transferred from one post to another.

Mr. JOHNSON of Washington. But he was still on duty.

Mr. GRISWOLD. The War Department uses the word "relieved," and that is the reason I used that term.

Mr. JOHNSON of Washington. He was transferred and could not move his furniture to the Mexican border.

Mr. BLANTON. If the gentleman will permit, here is a law which the gentleman himself helped to pass to cover such cases, but it does not cover this case. The act of March 4, 1921, provides for payment for loss of property of officers and enlisted men only when it appears that such private property was so lost, damaged, or destroyed in consequence of its owner having given his attention to the saving of human life or property belonging to the United States which was in danger.

Mr. JOHNSON of Washington. Exactly, and the gentleman says it covers this case, but it does not cover it.

Mr. BLANTON. It does not cover this case.

Mr. JOHNSON of Washington. It does not cover this case, or this bill would not be before us.

Mr. BLANTON. But this is what the gentleman said was a proper law when he helped to pass it in 1921.

Mr. JOHNSON of Washington. But the gentleman says it does not cover a case like this.

Mr. BLANTON. No; and there are thousands of other cases it does not cover. If we extend the law to cover this case, why not pay the loss on every bit of property of everybody else that is destroyed by fire?

Mr. JOHNSON of Washington. I would like to say, with all respect to the distinguished sharpshooters and watchdogs present here to-day, that a Member with a bill on the calendar, put on there in good faith and reported in good faith by any one of the various committees, all with highly responsible chairmen, is out of luck. This is a matter of equity, and this widow is entitled to payment.

Mr. GRISWOLD. Mr. Speaker, I object.

PAYMENT OF DAMAGES CAUSED BY OVERFLOW OF THE RIO GRANDE RIVER

The Clerk read the next bill on the calendar, H. R. 6774, to authorize amendment of the act of February 25, 1927, for the payment of damages caused by reason of the overflow of the Rio Grande on August 17, 1921.

The SPEAKER pro tempore. Is there objection?

Mr. HOPE. Reserving the right to object, I would like to ask the author of the bill to explain why the original bill was so drawn as not to include the claim covered by this bill?

Mr. CHAVEZ. It was the intention in the original bill to pay all the damages as the result of this flood, but the bill was so drawn that notwithstanding that the Bureau of Irrigation and Reclamation wanted to pay the claims due to

these claimants, under the bill as it was drawn they could not do it.

Mr. BLANTON. Is the gentleman in favor of paying these damages to noncitizens?

Mr. CHAVEZ. In this case I am, because I know the facts.

Mr. BLANTON. What duty do we owe noncitizens?

Mr. CHAVEZ. The same duty that we owe citizens in this regard.

Mr. BLANTON. We owe no duty to noncitizens to keep rivers within their banks.

Mr. CHAVEZ. If the gentleman will let me explain, he will see that I am right. Now, the American citizens were all paid. The United States built a dam in my State. In 1921 or thereabouts we had a very great abundance of water, and the people of this community—citizens of the United States and noncitizens—suffered damages as result of neglect by Government agents, who refused to let citizens break the dikes and relieve the danger. For two or three days they kept begging to cut the dikes, but the agents refused to let them do it until it was too late and the dam went out.

Mr. HOPE. According to the report made in the Senate on the original bill in 1926 there seems to be some dispute as to the facts, and it is stated on the part of the manager of the Bureau of Reclamation that there was no liability on the part of the Government of the United States.

I think, as the report shows, that while there was a flood, and possibly it was caused in part by the irrigation works which the Government had there, yet it could have been avoided, except there was a dispute between the residents of two different communities—those below refusing to permit a dike to be cut for fear the flood might damage them. It subsequently was cut and did no damage. But that is what held up the matter and kept the water in this town two or three days, which was the real cause of the damage.

Mr. CHAVEZ. The fact remains that Congress, after investigating all the facts, did come to the conclusion that the damage there was caused by the negligence of the Government agents. Congress appropriated \$75,000. I will say that out of the \$75,000 practically everyone has been paid except these claimants. The Bureau of Reclamation wanted to pay these two claimants. It only amounts to a few hundred dollars, but under the law it was impossible to do it.

Mr. HOPE. Are there more than these two claimants?

Mr. CHAVEZ. Only these two claimants.

Mr. BLANTON. If my friend will insert their names and the amounts so that it will be restricted, I shall not object to the bill, but I do object to a blanket bill like this under which thousands of dollars could be paid. If the gentleman will put in the specific amounts and let it apply to them I have no objection.

Mr. CHAVEZ. I have the names of two of the claimants down here. The gentleman can strike out the other portion of that paragraph if he desires.

Mr. BLANTON. Put in the names of the claimants the committee passed on, and the specific amounts allowed.

Mr. CHAVEZ. The gentleman from Texas will not demand that of me, I hope, because I do not know the amount at this time. I assure the gentleman that it will amount to only a few hundred dollars.

Mr. BLANTON. I call the gentleman's attention to the fact that we had an assurance of that kind when we passed the emergency officers' retirement act. We were assured that it would apply to only 900 officers, while already 7,000 have been retired.

Mr. CHAVEZ. I suggest that we could say that it shall not exceed so many hundred dollars.

Mr. BLANTON. Will \$500 cover it?

Mr. CHAVEZ. I think it should go to \$800.

Mr. BLANTON. If the gentleman will offer an amendment restricting the amount to a maximum of \$800, I shall not object.

Mr. CHAVEZ. To these two gentlemen?

Mr. BLANTON. Yes; so that it is not a blanket bill.

Mr. CHAVEZ. Very well.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to investigate, ascertain the amount of, and to pay damages sustained by Ydelfonso Rodriguez, Andres Bustamante, and other property owners residing at or in the vicinity of Hatch and Santa Teresa, N. Mex., or whose property is located in that vicinity and was damaged on August 17, 1921, in the manner and to the extent authorized by the act approved February 25, 1927 (44 Stat. L., pt. 3, p. 1792), without regard to the citizenship of the owners of property so damaged.

Sec. 2. Funds authorized to be appropriated by said act of February 25, 1927, and appropriated pursuant thereto and not expended may be utilized for the payment of claims hereunder, and shall remain available to the extent required until expended.

Sec. 3. Such parts of the act of February 25, 1927, and acts supplementary thereto as are in conflict with the provisions of this act are hereby repealed.

With the following committee amendments:

Page 1, line 8, after the word "damaged," insert "by the overflow of the Rio Grande River," and on page 2, line 7, after the word "hereunder," insert "as therein provided."

The committee amendments were agreed to.

Mr. BLANTON. Mr. Speaker, I offer the following amendment: On page 1, line 5, strike out the word "and," and in line 6 strike out the words "other property owners," and at the end of the line add the following proviso—

Mr. JOHNSON of Washington. Mr. Speaker, I make the point of order that the amendment should be in writing.

Mr. BLANTON. Oh, we have a very expert clerk at the desk, and he will be able to take it down.

Mr. JOHNSON of Washington. Mr. Speaker, I make the point of order that the amendment should be in writing and in the meantime move to strike out the last word.

Mr. BLANTON. Mr. Speaker, I do not yield to my friend from Washington. I am offering an amendment. At the end of line 3 add the following proviso:

Provided, That not more than \$800 shall be expended in making said two settlements. Strike out section 2 and renumber section 3.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 1, line 5, strike out "and other property owners," and on page 2, after line 3, insert "Provided, That not more than \$800 shall be expended in making said two settlements" and strike out section 2, and in line 9 strike out the figure "3" and insert the figure "2" at the beginning of the section.

Mr. JOHNSON of Washington. Mr. Speaker, I rise in opposition to the amendment. I have no objection to this bill, and I hope to take only two or three minutes of the time of the House. Here a string of amendments is proposed, offered from the floor. A sort of coroner's jury is sitting at the tables on two sides of the floor of the House running back and forth to consult each other, when, if they are to act, they should be sitting down here in front as a court. They do nearly all of the conversing. The interruptions by these Members is such that there is rarely much opportunity for a connected statement. This is not an orderly method of legislation. I have had some claims bills, and several on this calendar, but I have never gone to a member of the coroner's jury to make a personal appeal, nor have I gone to any of the members of the Committee on Claims or other committees, other than with affidavits and documents properly prepared. What are we doing? My sympathy goes out to the chairman of this committee, whoever he may be in this and the next Congress. No system is provided. It is hit or miss. It is a distressful and unfortunate manner of legislating.

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Texas.

The amendments were agreed to.

Mr. BLANTON. Mr. Speaker, I move to strike out the last word. When I think of the long years of valuable service that my friend from Washington [Mr. JOHNSON] has performed here, valuable services because of big things

done, I forget all of these little chicken-feed private bills of his that he has introduced. They are a mere bagatelle beside the splendid services he has rendered to the country. [Applause.] He seems to measure his services by getting a little old private bill through once in a while. I have on my desk now a picture of my friend from Washington, and this picture shows him in his shirt sleeves bending over his desk working for the people of America whom he served here so well. The kind of speech the gentleman made here a moment ago detracts from the splendid service on big things that the gentleman has performed.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. JOHNSON of Washington. On the contrary, it does not detract at all, but it calls attention to this miserable form of legislation here in the name of the Private Calendar.

Mr. BLANTON. When the gentleman goes home to Washington, far away, he is going home with a feeling and sense of great security, because he knows there are a few men here who have taken up the great work that Jim Mann once performed, and that they are watching bills which many times take millions of dollars out of the Treasury when not one cent ought to be taken out.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. BLANTON. I yield the floor to my friend.

Mr. JOHNSON of Washington. Mr. Speaker, I move to strike out the last three words.

I desire to thank the gentleman from Texas [Mr. BLANTON] for his very kind references. I am going home, not with that feeling of security that the distinguished gentleman from Texas just mentioned but with a feeling of alarm, in the knowledge that this great United States of ours, this great Republic, is one-third the way now on its march to a final social democracy, where claims like this will be mere incidents, settled outside of Congress entirely. I do not refer to the Democratic Party, or to the incoming administration, but to the onward march of a social democracy which proposes to do everything for the people—more than will ever be done by a government of our kind or any other kind. All the signs indicate disaster. It is true I have served here for 20 years. I have tried to do my duty on important legislation, on minor legislation, for orderly procedure, and I shall retire with a feeling of sorrow and regret as I see this coming social democracy. I think all can see it coming—and perhaps more.

I withdraw the pro forma amendment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SENATE ECONOMY ACT RAISES SALARIES

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to extend my own remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COLLINS. Mr. Speaker, in the economy act, passed at the last session, we suspended automatic promotions.

In the military and naval services the pay of commissioned officers is stepped up 5 per cent upon the expiration of each three years of service; likewise, length of service, and not rank alone, determines their base pay. In some instances, not all, a change of rank carries an increase of pay.

Now, as to the commissioned services, the economy act did not reduce the pay officers were receiving one penny more than $8\frac{1}{3}$ per cent, the same as everybody else. It deprived them of increases in pay, which they would have received had it not been for the economy act, like everybody else was deprived of automatic increases in pay.

The impression has gotten abroad that officers in these services were reduced more than persons in other branches of the Federal service. This is not the case, and I wish to stress that fact.

Now let me cite you a specific instance of what would happen under the Senate bill. The Budget officer of the Navy Department—Admiral McLean—is a rear admiral. He is a rear admiral of what is called the lower half. A rear admiral of the lower half corresponds with a brigadier gen-

eral in the Army. Admiral McLean receives a total in pay and allowances of \$7,500. He received that before the economy act became effective. Since the economy act became effective he has become a rear admiral of the upper half, and the pay and allowances of a rear admiral of the upper half amount to \$9,700, the same as a major general.

In the Treasury and Post Office Departments bill as passed by the Senate this officer would be advanced from \$7,500 to \$9,700, an increase of \$2,200, and for doing identically the same work at this time as he was doing when the economy act was passed.

That is a concrete example of what this bill as passed by the Senate proposes to do. If we are going to undo what we did last year and start raising salaries, let us be frank about it and let the people know it.

And how is it proposed to pay for this increase, in part, at least? Listen, if you please. Congress in its wisdom, at the last session, refused to touch the pay envelopes of the enlisted men. There are seven pay grades for enlisted men. I shall use the average Navy rates, because they are generally higher than the Army rates. The pay of the top three grades only exceed \$1,000. Here they are in order, \$1,832, \$1,451, and \$1,202.

There is hardly a man among the enlisted personnel who has not a wife or dependents looking to him for support. What would you say, out of the compensations I have stated, he would have left for his personal needs after making remittances to his dependents, and yet, gentlemen, this bill as it comes from the Senate applies an $8\frac{1}{2}$ per cent cut upon the pay of these men, and at the same time will add varying amounts, as high as \$2,200, to the pay officers are now receiving.

Let me remind you, also, that we have already, for the next fiscal year, reduced the pay of enlisted men of the Army and the Coast Guard by taking away reenlistment allowances. The Budget proposes similar action as to the enlisted men of the Navy and Marine Corps. That course means a reduction in the pay of every enlisted man whose enlistment expires during the next fiscal year. It means a reduction in the top three grades at the rate of from 2.65 to 4 per cent per annum. Personally, I have no sympathy with that action. It is a Budget recommendation. To take away an additional $8\frac{1}{2}$ per cent, to my mind, would be the height of folly.

Mr. Speaker, I want to know if we may have the assurance of the gentleman that he will bring these two propositions back to the House in disagreement if the Senate conferees will not recede?

JOSE RAMON CORDOVA

The Clerk called the next bill, H. R. 6785, for the relief of Jose Ramon Cordova.

Mr. HOLLISTER. Mr. Speaker, I object.

Mr. CHAVEZ. Will the gentleman reserve his objection?

Mr. HOLLISTER. I will reserve the objection for the gentleman to make a statement.

Mr. CHAVEZ. In 1916 there was an uprising of Piute Indians in western Colorado and eastern Utah. The United States marshal there dispatched several citizens to go out into the country and try to get rid of this uprising amongst the Indians. Among those men sent was this man Cordova and a man by the name of Aikin. There was a battle between the duly authorized Government agents, the deputy marshals, the marshal, and the rebellious Indians. Mr. Aikin was killed. Mr. Cordova was shot in the arm and shot through the chest. He has been an invalid ever since.

In 1920 the gentleman from Colorado [Mr. TAYLOR] secured the passage of a bill for the relief of the widow of Mr. Aikin, and there was a bill favorably reported for the relief of Cordova, but for some reason the gentleman from Colorado was unable to get in contact with Cordova, who lived out in the wilds of Colorado, New Mexico, and Utah, and it was only last December when we received a request from the American Legion post at Farmington, N. Mex., telling of the condition of this man and the condition he has been in since 1916, that this matter was taken up. He was dependent, even during the war, on two sons, both of whom

went overseas. He has been bedridden. This bill was placed before the committee at the request of one of the American Legion posts in my State. The man was shot while doing his duty. They could not do anything else except go out with the United States marshal when the Indians were uprising.

The bill has been reported favorably, and a bill of similar import has heretofore passed for the widow of Mr. Aikin. The Department of Justice and the Attorney General recommend this bill for passage, and I do hope that justice may be done this man at this late hour. He only has a few years to live, and I was hoping this might get through so that he might get what he has had coming to him for a long time. If the gentleman from Colorado [Mr. TAYLOR] had been able to contact him, the Congress would have passed this bill as far back as 1920, when the bill for the relief of Mrs. Aikin, the widow of the man who was killed, was passed.

Mr. HOLLISTER. I would like to ask why the long delay. That is a long time to delay a matter of this kind.

Mr. CHAVEZ. The gentleman will appreciate that this poor man lives out in the country. Probably he does not know as much as some of us are supposed to know. If the American Legion post had not called my attention to this bill, you would not have it here to-day. After they saw the condition of this poor old man, they brought it to my attention. If it had not been for that, you would not have had the bill here. In other words, no one attended to or cared about him.

Mr. HOLLISTER. The report is very inadequate. The report does not state any of those facts at all.

Mr. SCHAFER. Will the gentleman yield?

Mr. CHAVEZ. I yield.

Mr. SCHAFER. I made the report, and I wish to state that the report sets forth all the facts. The report sets forth the full circumstances in a letter, over the signature of the Attorney General, William D. Mitchell, on page 2, in which he says he shall not interpose objection. That indicates the degree of the permanent disability at the time of the injury. The report indicates that the injuries were incurred in line of duty, while enforcing the law. The report also indicates the man's condition as totally disabled on March 11, 1932. In fact, I was very careful to request the author of the bill to wire for a physician's statement, showing the physical condition at that time. This is one of the most meritorious bills which our committee has ever had before it. There was not a question raised against it when it was before the full Claims Committee. Here is a man, totally disabled, shot through the lungs which resulted in pulmonary hemorrhages, and shot in the arm which caused paralysis. This injury was received while serving the Government of the United States in the position of a law-enforcement agent. He is totally disabled and helpless; and in view of all the facts incorporated in this report, I believe we should not hesitate to pass this bill if we are going to pass any bill at all on this calendar.

Mr. HOLLISTER. I am sorry to say the report does not show everything which the gentleman has stated. It does not say anything about his condition for the past 18 years.

Mr. SCHAFER. Here is the physician's statement showing the man's condition in 1932. This statement as to the man's physical condition is worth a great deal more than the statement of a layman, either on the floor of the House or off the floor of the House. The Attorney General's report indicates the serious nature of the disability in 1916 and it is corroborated by the physician's statement showing total disability on March 11, 1932.

Mr. HOLLISTER. Mr. Speaker, with the understanding that the amendment will be accepted, changing the amount to \$2,500, I withdraw my objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jose Ramon Cordova, of Gallup, N. Mex., the sum of \$5,000 for injuries sustained dur-

ing February, 1915, while in the discharge of his duties as member of a posse organized by the United States marshal for the district of Utah for the capture of Tse-Ne-Gat, alias Everett Hatch, a Piute Indian charged with murder.

With the following committee amendment.

Page 2, line 1, after the word "murder," add the following: "Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to.

Mr. HOLLISTER. Mr. Speaker, I offer an amendment. The Clerk read as follows:

Page 1, line 6, strike out "\$5,000" and insert in lieu thereof "\$2,500 in full settlement of all claims against the Government of the United States."

The amendment was agreed to.

Mr. SCHAFER. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I realize that the only way the author of this bill could get some relief for this distinguished citizen was by accepting the amendment offered by one of the regular objectors before the unanimous-consent stage had passed.

Mr. BLANTON. As to objectors, is the gentleman one of the regulars or irregulars?

Mr. SCHAFER. I am not yielding to the gentleman now. Some other time I shall be pleased to yield to him as often as he desires.

These are the facts in the case: The committee report indicates that this man suffered a total and permanent disability. He was shot through the arm and was shot through the chest with the result that he has paralysis of the arm and pulmonary hemorrhages of the lungs. These injuries were sustained while serving the great Government of the United States as a law-enforcement agent on the trail of a murderer.

In order that his complete condition several years later could be before the committee and the House, I requested the author of the bill, when we considered the bill in the subcommittee, to wire to the American Legion post for a physician's statement showing the present condition, and that physician's statement is incorporated in the committee report. It reads as follows:

FARMINGTON, N. MEX., March 11, 1932.

HON. DENNIS CHAVEZ:

Just examined Jose Ramon Cordova because of shot wound in arm. It has very little sensation. Because of shot wound in chest he has frequent hemorrhages from lungs. These hemorrhages occur upon least exertion. I consider him totally disabled for manual labor.

J. E. REECE, M. D.

The committee report sets forth the facts and circumstances justifying relief for this beneficiary, and the concluding paragraph of the report from the Attorney General states that in view of the facts of the case the Attorney General will interpose no objection. Yet we find here in the case of this man who served the Nation and was totally disabled by a shot in the arm and a gunshot wound in the chest resulting in pulmonary hemorrhages, that he is denied the maximum compensation which Congress has been allowing in cases of total disability. His case is put up on the auction block under this unanimous-consent procedure, and in order to get some relief for the poor unfortunate man the author of the bill has to accept an arbitrary reduction of 50 per cent. Otherwise the bill would not be considered in the House and no relief would be given.

Certainly, when you consider the facts, this is one bill which indicates the pernicious operation of this auction-block system, where claimants are denied the benefits due them because of the whims of some of the objectors who are sent out here on the floor of the House to overcome the

unanimous judgment of a standing committee of the House of 21 members of the Claims Committee.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. SCHAFER. I yield to my distinguished colleague from Texas.

Mr. BLANTON. The gentleman said the man had pulmonary hemorrhages of the lungs. Is there any hemorrhage of the lungs that is not pulmonary?

Mr. SCHAFER. That is a facetious interjection and beside the point. The gentleman can now talk about politics, but I saw him in the well of the House to-day apologizing for the Democratic majority which has been in control of the House for two years.

Mr. BLANTON. No; you did not.

Mr. SCHAFER. For its failure to reduce appropriations and to pass consolidations.

Mr. BLANTON. No; you did not.

Mr. SCHAFER. I saw and heard the gentleman on the floor of the House.

Mr. BLANTON. You saw me attempting to put back in their boxes some jack-in-the-boxes from across the aisle who had jumped out of their box.

Mr. SCHAFER. I saw the gentleman in the well of the House apologizing for his party's failure to reduce expenditures and for failure to consolidate various bureaus and activities. From his speech I gathered that the gentleman in the near future will offer an amendment to a bill to divest Congress of all its powers under the Constitution, give them to the next President of the United States, dissolve Congress, recall the appropriation for the legislative branch of the Government, and go back to Texas.

[Here the gavel fell.]

Mr. PITTENGER. Mr. Speaker, I rise in opposition to the pro forma amendment, and will not take much of the time of the House.

I wish to call attention to page 3731 of the RECORD for February 9, where appears a report of the consideration of the bill H. R. 8403. Some unfortunate language is used there which might indicate I was trying to mislead the House as to the provisions of that bill. The gentleman from Mississippi [Mr. COLLINS] was smiling when he made his suggestion that I was not stating the facts quite accurately about the bill. Three or four of us were talking at the same time after he had made his statement and the reporter evidently did not get my very vigorous objection to my colleague's statement.

I said that this bill only involved appropriations of \$300 or \$400, which was substantially correct.

I said the bill was a bookkeeping proposition, and that was correct.

The purpose of the bill was to relieve certain disbursing officers of errors and discrepancies in connection with the accounting work of the War Department. If you do not relieve them, the Government will have to sue them at expense to the Government and then try to collect.

So my statement in connection with the bill was substantially a correct statement. I did not have an opportunity to discuss the bill at any length.

The committee report indicated all the facts, and I know my friend the gentleman from Mississippi [Mr. COLLINS] did not want to leave any impression on the House that I was trying to mislead the House on a bill which I considered was very meritorious.

Just one thing more: This bill is here because there is a dispute on between somebody over in the Comptroller General's office and the War Department as to a matter of policy. I think the gentleman, whoever he is, in the Comptroller General's office is wrong in the attitude he takes.

The Secretary of War recommended the bill. I think it is a proper bill. I think he did the right thing. I think the Comptroller General's office is mistaken in its position.

Mr. Speaker, I make these remarks so that the rather humorous attitude and comment of my friend from Mississippi, as it appears in yesterday's RECORD, will not be taken seriously. He is misled by the Comptroller General's office.

Mr. BACHMANN. What is the number of the bill to which the gentleman refers? There were two bills of a similar nature before the House yesterday.

Mr. PITTENGER. I am referring to the bill H. R. 8403.

Mr. BACHMANN. If the gentleman will look at the second bill, he will find that the last provision provides for an expenditure of over \$9,000.

Mr. PITTENGER. No; there is no expenditure at all—just bookkeeping. That relieves a colonel of a liability for which some one else was responsible and for which he is not legally liable. You either relieve him or else you sue him.

Mr. BACHMANN. That is more than a few hundred dollars, as the gentleman stated.

Mr. PITTENGER. But no appropriation is required. My statement had to do with appropriating money. None is appropriated here.

Mr. BACHMANN. But the Government stands to lose \$9,000.

Mr. PITTENGER. I will bet the gentleman a nickel the Government will never collect a nickel from the colonel, but may go to a lot of expense on a groundless claim against him. The primary purpose of this bill is to correct records and errors.

The pro forma amendment was withdrawn.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

RUFUS HUNTER BLACKWELL, JR.

The Clerk called the next bill, H. R. 6975, for the relief of Rufus Hunter Blackwell, jr.

Mr. HOLLISTER. Mr. Speaker, I object.

CHARLES A. BROWN

The Clerk called the next bill, H. R. 7649, for the relief of Charles A. Brown.

Mr. HOLLISTER and Mr. STAFFORD reserved the right to object.

Mr. BLOOM. May I ask the gentleman from Ohio for what reason he objects?

Mr. HOLLISTER. As far as can be gathered from the report and the whole circumstances of the case, it looks like a typical automobile accident at a corner where there is contributory negligence on the part of the claimant. There is no evidence whatever to the contrary, and it does not seem to be a case where in the ordinary private situation there would be any recovery on the part of the claimant.

Mr. BLOOM. I would like to ask the gentleman if he has read the report.

Mr. HOLLISTER. I have read the report very carefully.

Mr. BLOOM. It is a fact that the United States Government exacted of the truck driver payment for damages on account of the negligence of the driver, and the Government collected this money out of the salary of the driver.

Mr. HOLLISTER. That is perfectly possible but would not necessarily change the situation. The driver might have been negligent as well as the person concerned in the act. Of course, I have only the report before me. Has the gentleman any further report from the Post Office Department?

Mr. BLOOM. The report shows that the Government employee driving the truck on official duty was negligent, because he did not blow his horn.

If the gentleman could understand the situation at Seventy-second Street and Broadway, he would realize that in crossing that street it was necessary for this man to blow the horn, and if the driver of the postal truck were not at fault, the Government certainly would not have asked him to pay the cost of repairing the postal truck.

Mr. STAFFORD. If the gentleman will permit, the difficulty I have in comprehending liability on the part of the Government is that I read between the lines that the claimant was guilty himself of driving recklessly past this point of intersection.

Mr. BLOOM. No; it is just the reverse.

Mr. STAFFORD. Traffic goes very fast on Broadway.

Mr. BLOOM. At this corner, may I say to the gentleman, the traffic of the direction of the private car has the right of way just the same as in the District of Columbia.

Mr. STAFFORD. And the truck was going north and south.

Mr. BLOOM. No; the car was going north and south and the truck was coming across the street and the private automobile was damaged.

Mr. STAFFORD. No; the Government employee driving the truck was traveling to the northward on Broadway.

Mr. HOLLISTER. Yes; the postal truck was going north, according to the report, and the truck had the right of way.

Mr. STAFFORD. Upon the statement of the gentleman from New York, I think we shall have to object.

Mr. BLOOM. Mr. Speaker, as this is a day of compromise and agreement, does not the gentleman think that this party who paid \$1,100 for hospital expenses is entitled to something?

Mr. STAFFORD. I read this report very carefully, and the gentleman from Ohio has read it very carefully. I thought the claimant was guilty of negligence in driving very fast, and \$1,000 would be more than ample under the circumstances.

Mr. HOLLISTER. Mr. Speaker, I object.

VINCENT J. CONRAD

The Clerk called the next bill, H. R. 7654, for the relief of Vincent J. Conrad.

Mr. HOPE. Mr. Speaker, I reserve the right to object.

Mr. CHRISTGAU. I do not know how familiar the gentleman is with this case. This soldier had been away from the camp on pass and during his absence the camp cot caught fire and destroyed his property. I realize that the general law holds that in order for a man to be reimbursed for his own loss he must have been engaged in saving human life or Government property, but in this case that was utterly impossible. Another soldier who lived in the same barracks happened to be there and took out two trunks and in those trunks were some field glasses and a Government pistol, and because Government property was in these two trunks he was reimbursed, while this soldier was denied the reimbursement which he deserved.

The purpose of this bill is to correct an evil in the existing law and I hope the gentleman will not object.

Mr. HOPE. If there is fault in the existing law, it should be corrected by general legislation. I call attention to the opinion of the War Department, in which it says:

Many similar claims are on file in the War Department wherein payment has been denied, and it is therefore recommended that favorable consideration be not given the proposed legislation, inasmuch as the granting of this relief would be giving to one individual consideration that has been and must be denied many others.

If it is true, as the gentleman says, there is a defect in the general law, it ought to be corrected, but I do not think it should be corrected in a bill of this character.

Mr. CHRISTGAU. This is a meritorious case, and I do not think we should compel this man to wait for general legislation.

Mr. HOPE. Mr. Speaker, I am compelled to object.

BURTON S. ADAMS

The Clerk read the next bill on the Private Calendar, H. R. 10104, for the relief of the heirs of Burton S. Adams, deceased.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I assume that the author of the bill will not object to an amendment providing that no payment hereunder of any of the allowances authorized by the bill shall accrue prior to the enactment of this act?

Mr. BLACK. No.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in recognition of the fact that Burton Stearns Adams lost his life while in the performance of his duty as an employee of the Corps of Engineers, United States Army, and in recognition of the fact that his death resulted from over-

exertion in connection with the performance of official duties, the United States Employees' Compensation Commission is hereby authorized and directed to receive the claim of Emma E. Adams, the widow of Burton Stearns Adams, and to grant compensation to the widow and dependent child in the amounts prescribed by the Federal compensation act of September 7, 1916, and amendatory acts, to be allowed in the case of an employee whose death occurred in line of duty.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment:

The Clerk read as follows:

At the end of the bill insert: "Provided, That no payment hereunder of any of the allowances authorized by said compensation act shall accrue prior to the enactment of this act."

The amendment was agreed to.

Mr. McGUGIN. Mr. Speaker, I move to strike out the last word. I hesitate to take the time of the House at this time, but I wish to speak for a few moments out of order.

Mr. BACHMANN. Mr. Speaker, I shall object to that. This time has been set aside for the Private Calendar. If the gentleman from Kansas is permitted to speak out of order, others should have the same right.

The SPEAKER pro tempore. The gentleman from Kansas moved to strike out the last word, and the Chair has not heard the gentleman yet.

Mr. BACHMANN. He said that he was about to speak out of order.

Mr. BLACK. I do not mind any Republican getting five minutes for a speech. [Laughter.]

Mr. BACHMANN. I do not want to prevent the gentleman from Kansas from speaking, but Members have been here all the afternoon waiting and expecting their bills to come up, and it is not fair to take up this time.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

GIVE MR. ROOSEVELT THE POWER TO DO WHAT MUST BE DONE FOR THE COUNTRY, AND THAT WHICH CONGRESS CAN NOT OR WILL NOT DO

Mr. McGUGIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD, and I hope that does not offend the gentleman from West Virginia.

The SPEAKER pro tempore. Without objection, it is so ordered.

Mr. McGUGIN. Mr. Speaker, it always pays to recognize truth. It never pays to dodge the truth simply because the truth may be unpleasant. Parliamentary government is failing to meet the emergency which now confronts the American people. It is not surprising that this should be true. Parliamentary government is particularly fitted to protect human liberty under ordinary times and conditions. Parliamentary government is the greatest governmental blessing which has been conferred upon mankind.

Parliamentary government, like every other human institution, has its weakness as well as its strength. The inherent and natural weakness of parliamentary government is that it is full of indecision and can not function during a great emergency. Parliamentary government is as helpless in functioning in an emergency, such as we are now experiencing, as a counsel of 435 men would be unable to function in leading an army in the midst of battle. The indecision of such a counsel would break down the morale of an army.

The United States is to-day confronted with a condition which is equally as much in need of quick and accurate decision as is the army in battle.

We have a Government which has for three years spent more money than it has taken in. For the fourth year, it is going to spend more money than it is taking in. Such a program will mean the ultimate collapse of Government. This condition can not be corrected except that there be drastic reductions in expenses and additional revenue obtained for the Government. Parliamentary government breaks down in this situation. Four hundred and thirty-five men in the House of Representatives can not agree on any measurable reduction in expenses. Likewise they can not agree on any form of substantial new revenue. This inde-

cision leaves Government in a helpless situation, day by day drifting into greater chaos.

Sooner or later, the American people simply can not suffer the indecision of Congress. Before the American people will permit all Government to collapse in this country, they will turn to some form of dictator. There are just two forms of dictators, namely, the constitutional dictator in the form of a President, and the dictator on horseback. The latter form of dictator is intolerable. It is destructive of free government. The constitutional dictator in the form of President is bearable and the people can suffer it until they are through the emergency. At the end of the emergency, we need have no fear of the people's not throwing off the yoke of dictatorship.

I favor giving to the incoming President, Mr. Roosevelt, unlimited power in the financial affairs of government. I do not know whether or not he can save this country. The best that Congress can do is to give him a chance. We should give him the opportunity to do that which Congress can not and will not do. This we should do for the good of the country.

I am going to vote to give him such power. As I view the matter, loyalty to country requires that I do it. Some of my Republican brethren rebel against giving such power to the new Democratic President. My answer to that is, that even if there were nothing involved in this matter except politics, it is still good politics for the Republicans to give this power to Mr. Roosevelt. In the first place, it is the one best chance to save democratic government so that there will be any need for any political party. In the next place, as soon as the emergency is passed the people will rebel against dictatorial power in the hands of the President, and the party out of power will be the beneficiary of that rebellion. There could not be a better illustration of this fact than the situation of Woodrow Wilson in his last term. Congress gave him full power so that the Government could function during the war. As soon as the war was over, what happened? The people rebelled against this extraordinary power in the hands of the President and were eager to return to a democratic form of government. As a result, the people turned this country over to the Republicans in 1920, as if they were being given something on a silver platter.

On the contrary, if the Republican Party, during the next administration, sets itself up as merely a nagging opposition party, it will probably not come back to power for many years. The Democratic Party tried that policy after the Civil War. The result was that it has practically been out of power continuously.

This position does not mean that the Republican membership in Congress should on every occasion bow to every whim or suggestion of the new President. It is perfectly proper for the Republicans to oppose and criticize a program submitted by the new President which their judgment tells them is economically and governmentally unsound. During these trying times, our opposition must be based on the absolute needs of the Government unmindful of partisan advantage. Therein lies the best politics as well as the best statesmanship.

When the new President is willing to try to do that for the country which must be done to preserve the Government and which experience has taught us that Congress can not and will not do, the Republicans can not afford to oppose that program.

I realize that Mr. Hoover asked for power to function and that the Democrats denied him that power. In doing so, they grievously wronged the country. I realize that the present Democratic membership of the House in their hearts resented giving to President Hoover a dog's chance. They resented giving him power to reorganize the Government. In the last session they finally grudgingly voted to give him restricted power to reorganize the Government; then when he did it, they wronged the country by rejecting his program. However, that is no excuse for the Republicans to follow the same policy. There is only one way for the Democrats to atone for the wrong they did the country in hamstringing President Hoover, and that is for them to

give the power and greater power to Mr. Roosevelt than that which they denied to Mr. Hoover and then for Mr. Roosevelt, the Democratic President, to function as Mr. Hoover would have functioned had he been given the power.

I appeal to Republicans and Democrats alike to give to Mr. Roosevelt the full power and authority to do that which experience has proved that Congress can not and will not do in restoring the financial stability of this Government.

GUILLERMO MEDINA

The next business on the Private Calendar was the bill (H. R. 10891) to provide for the reimbursement of Guillermo Medina, hydrographic surveyor, for the value of personal effects lost in the capsizing of a Navy whaleboat off Galera Island, Gulf of Panama.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$66.80 to Guillermo Medina in full compensation for the loss of personal property as the result of the capsizing of a United States Navy whaleboat off Galera Island, Gulf of Panama, on September 25, 1928.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ESTATE OF PETER PAUL FRANZEL

The next business on the Private Calendar was the bill (S. 1586) for the relief of the estate of Peter Paul Franzel, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Peter Paul Franzel, deceased, the sum of \$168.36, in full satisfaction of all claims of such estate against the United States arising out of any payment made by the estate of Peter Paul Franzel in pursuance of an offer made by the said Peter Paul Franzel in compromise of liabilities alleged to have been incurred by him through violation of the national prohibition act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

PRICE HUFF

The next business on the Private Calendar was the bill (H. R. 11035) for the relief of Price Huff.

The SPEAKER pro tempore. Is there objection?

Mr. GRISWOLD. Mr. Speaker, I reserve the right to object. I notice that this provides that this man shall have rights to his adjusted certificate. It is my understanding that now, even though a man may have been honorably discharged, the time for acquiring an adjusted-service certificate has expired.

Mr. MAY. No; that is not correct. The difference is that if he is now awarded an adjusted-service certificate, it is dated as of the date it is issued, and not as of 1924.

Mr. GRISWOLD. But a man to-day who has not made application before this time, even though he be honorably discharged, can not get his adjusted-service certificate.

Mr. MAY. Oh, yes; he can, up to 1935.

Mr. HANCOCK of New York. Mr. Speaker, will the gentleman explain whether the beneficiary of this bill will be eligible for disability allowance and compensation and all of the other war benefits?

Mr. MAY. No; this merely affects the right of this soldier to have his adjusted-service certificate.

Mr. HANCOCK of New York. Upon the theory that he served honorably during the duration of the war and actually earned the adjusted compensation?

Mr. MAY. Yes. He is barred from any other pension, back pay, or anything of that kind.

Mr. HANCOCK of New York. Will the gentleman insert an amendment incorporating the usual language, so that it will read that the man was discharged under honorable conditions?

Mr. MAY. I think the phraseology of the bill as it is does that. It is the same thing. It provides that he shall be considered to have been honorably discharged from the mili-

tary service of the United States as a member of that service on the 6th day of February, 1920, and then follows the usual proviso.

Mr. HANCOCK of New York. The practice is quite uniform to use the phrase "may be held to have been discharged under honorable conditions." It means the same, but we are trying to get uniformity in bills of this sort.

Mr. MAY. A representative of the War Department, who is an attorney, passed on the phraseology of this particular bill.

Mr. HANCOCK of New York. Nevertheless, that has been the custom here, and most of the bills drawn in the Military Affairs Committee or in the Naval Affairs Committee use that phraseology. There is a good reason for it, which I am not able to explain myself. Has the gentleman any objection to such an amendment?

Mr. MAY. I do not think it would affect the matter at all. It will not affect his right to a service certificate.

Mr. HANCOCK of New York. It does not affect that at all.

Mr. MAY. Very well. I will accept such an amendment.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Price Huff, who was a member of the Chemical Warfare Service, United States Army, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that service on the 6th day of February, 1920: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendment:

Page 1, line 6, strike out the word "hereafter," and on page 2, line 1, after the word "act," insert "*Provided further*, That if the said Huff shall within 12 months from and after the final passage and taking effect of this act file with the Veterans' Administration a claim for adjusted-service compensation under the provisions of the World War veterans' act of 1924, as amended, then and in that event nothing in this act contained shall be construed to prevent said veteran from being allowed his adjusted-service certificate, if he be found otherwise entitled thereto."

Mr. COCHRAN of Missouri. Mr. Speaker, I move to strike out the last word. Yesterday I objected to a bill which sought to give a soldier an honorable discharge. The Member who introduced the bill seemed to feel that that objection was not warranted and complained that other bills were passed granting honorable discharges to men who had deserted. The bill under consideration grants an honorable discharge to a man who is alleged to have deserted, but there is a considerable difference between the two bills. The bill to which I objected yesterday would give an honorable discharge to a man who entered the service on June 28, 1918, and who on August 10, 1918, disappeared. He returned to his command in February, 1919, after the war was over. His desertion occurred during time of war. The veteran affected by this bill served throughout the war and was in major engagements, not one but several. He deserted several years after the war.

The man whose bill was before the House yesterday is alleged to have suffered a throat disability. There is nothing in a medical way that connects a throat disability with a man's legs. He was able to walk. We expended millions and millions of dollars to give the men in the camps hospital service and attention when they became ill. The man had no right to leave his command in August.

There is another thought to be considered in this connection. When he left, the gap that he made by leaving had to be filled, and when that organization went abroad some other mother's boy went with the organization, filling that gap, and we do not know whether that other boy ever returned to this country or not.

I say, whenever a bill is being considered, unless it can be shown that the soldier or sailor who deserted from the Army or the Navy during the period of the war—between April 6, 1917, and November 11, 1918—was of unsound mind,

I propose to object to the bill. I think the objection is well taken, and I do not think a Member of Congress should be criticized for stopping such a bill, even though it be reported by a legislative committee of this House.

The man who stayed on the job until the last shot was fired is entitled to consideration, and, unless the offense is most severe, he will have my sympathy and assistance, as will the man who left during the war who was of unsound mind; but the man who deserted while his country was at war should not now be given an honorable discharge. Remember, every time a soldier deserted during the period of the war another boy had to take his place. Unless there is some extraordinary condition that enters the case, we should not by an act of Congress give a man an honorable discharge who left his comrades in an emergency. If my contention is not sound, I would like to have someone assail it. There is nothing personal in my actions; simply a desire to do what I think should be done.

Mr. GOSS. Mr. Speaker, I rise in opposition to the pro forma amendment for the purpose of keeping the RECORD straight on the bill referred to by the gentleman from Missouri. I reported that bill for the gentleman from Georgia [Mr. PARKER]. In fairness to the veteran whose case is in dispute here, I wish to say that he was inducted into service and had one month's service when he was taken sick and went home. He was home for several months, but during that entire period he was in touch with the county sheriff and other officers in charge of his case. Heart trouble developed as the result of that pharyngitis. The sheriff was in touch with him. He was in bed. Just as soon as that veteran was physically able he returned of his own volition to camp and was then thrown into the stockade, and two weeks later he was sent to a base hospital for further treatment.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. GOSS. I yield.

Mr. COCHRAN of Missouri. Is it not a fact that he left his command without permission?

Mr. GOSS. He was A. W. O. L.

Mr. COCHRAN of Missouri. That means he left without permission.

Mr. GOSS. That is true.

Mr. COCHRAN of Missouri. Is it not a fact that we had the best surgical and medical men in this country in every camp in the country, where this man could have received treatment?

Mr. GOSS. But he got it when he went home on a pass.

Mr. COCHRAN of Missouri. But he left his command without permission, and he deserted. The gentleman may call it "A. W. O. L.," but in this case it is desertion.

Mr. SCHAFFER. Will the gentleman yield?

Mr. GOSS. I yield.

Mr. SCHAFFER. Did he not return after the war was all over?

Mr. GOSS. Certainly, just as soon as the doctors let him out.

Mr. SCHAFFER. And if the war was still going on, he would not have returned until this date.

Mr. McCORMACK. Will the gentleman yield?

Mr. GOSS. I yield.

Mr. McCORMACK. A. W. O. L. is the right of all privates. I went A. W. O. L. many times, but I reported back; and if a man took sick when he was away A. W. O. L., there is nothing serious about that.

Mr. COCHRAN of Missouri. But the gentleman did not report back after the war was over when he went A. W. O. L. The gentleman was a soldier, not a skipper.

Mr. McCORMACK. But if I had taken sick, I would have had to stay at home, would I not?

Mr. COCHRAN of Missouri. Mr. Speaker, I withdraw the pro forma amendment.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment to the committee amendment: Page 2, line 3, strike out the words "from and" and also the words "after

the final passage and taking effect" and insert in lieu of the latter the word "enactment," so that it will read "after the enactment."

Mr. MAY. Instead of "after the final passage"?

Mr. STAFFORD. Yes.

The Clerk read as follows:

Amendment by Mr. STAFFORD: Page 2, line 3, strike out at the beginning of the line the words "from and," and after the word "the" strike out the words "final passage and taking effect" and insert in lieu thereof the word "enactment."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

Mr. HANCOCK of New York. Mr. Speaker, I offer an amendment in line 7 to strike out the word "honorably," and after the word "discharged" insert "under honorable conditions."

Mr. MAY. I accept the amendment.

The Clerk read as follows:

Amendment by Mr. HANCOCK of New York: Page 1, line 7, strike out the word "honorably," and after the word "discharged" insert the words "under honorable conditions."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM L. JENKINS

The Clerk called the next bill, H. R. 997, for the relief of William L. Jenkins.

Mr. EATON of Colorado. Reserving the right to object, I would ask the author of this bill if he can make an explanation as to why this former consul ought to be relieved of accountability for \$2,000 represented by this bill? It appears by the statement that he received the \$2,000, but its disbursement does not appear by the report. His excuse is only that there are no vouchers. What are the facts?

Mr. WATSON. I have taken a deep interest in this bill. I have called on the department a great many times—upon Mr. McCarl and upon Mr. Carr.

In no case have I found the money has not been received. The only objections they have, that the vouchers had not been received, and they want the vouchers in order to have the account properly on the books. It was during a period of war.

Mr. EATON of Colorado. Aside from the vouchers, is there no statement showing how the money was expended? Have you no statement of the State Department or the Comptroller General, or anyone, to show how the money was expended?

Mr. WATSON. It is very strange. The department does not assert they have not received the money. It is only a case where they have not received the vouchers. We have a letter from Mr. Carr, in which he states:

In view of the information contained in the attached copies of correspondence and the apparent inability of Mr. Jenkins to furnish vouchers in support of his draft dated December 8, 1916, in the amount of \$2,000, the department is of the opinion that he should be allowed credit for that amount as provided for in the proposed bill.

Mr. EATON of Colorado. Whose statement is that?

Mr. WATSON. That is the statement of Mr. Wilbur J. Carr, Acting Secretary of State. In no case has any member of the department claimed that Mr. Jenkins had been dishonest and not returned the money.

Mr. EATON of Colorado. Perhaps I did not make myself clear. Nowhere in this 8-page report is there a statement that the money was ever spent or disbursed for any governmental purpose, or purposes of the office held by Mr. Jenkins.

Mr. WATSON. It is very plainly shown that a great number of people in Trebizond were starving, and this money was required to feed them. An order was sent to Petrograd for the money, and the money was sent to Mr. Jenkins.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. WATSON. I yield.

Mr. STAFFORD. I had occasion only this morning to read the report. I read it very carefully. The letter of the claimant as late as August 22, 1932, explains how the vouchers were lost because of the transfer from Trebizond to Tiflis, and the letter of Mr. Carr shows that the reason why this account was not allowed was because these vouchers got mixed up in the transfer during the height of the war. There is no question in my mind but what it is a meritorious claim.

Mr. PATTERSON. In a way, it is just a matter of book-keeping.

Mr. STAFFORD. It appears that Vice Consul Montecanto left Trebizond for Russia and it is supposed he took the vouchers with him.

Mr. EATON of Colorado. In other words, this money was expended for the relief of destitute people at that time.

Mr. WATSON. For the relief of destitute people at Trebizond.

Mr. EATON of Colorado. And the vouchers not being obtainable this bill is necessary to clear the record.

Mr. WATSON. The gentleman has stated the case correctly; and also to clear Mr. Jenkins's honor.

Mr. EATON of Colorado. Mr. Speaker, I withdraw my objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the General Accounting Office be, and is hereby, authorized and directed to credit the accounts of William L. Jenkins as American consul, formerly at Trebizond, Turkey, with the sum of \$2,000, such sum representing the amount for which he is held personally liable on account of official vouchers lost because of warlike conditions in Turkey during 1916 and 1917.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

LEWIS E. GREEN

The Clerk called the next bill, H. R. 999, for the relief of Lewis E. Green.

Mr. EATON of Colorado. Mr. Speaker, reserving the right to object, I have here the proper form for the presentation of the claim to the Employees' Compensation Commission where the employee failed to present his claim within the time required by the statute of limitations. If the author of the bill is willing to accept this as an amendment, I have no further objection to the bill.

Mr. WATSON. Will the gentleman explain the effect of the amendment?

Mr. EATON of Colorado. The effect of the amendment is to present the claim of this person to the United States Employees' Compensation Commission as if he had made it within the time required under the statute; and it provides that no benefit shall accrue prior to the enactment of this act.

Mr. WATSON. It does not weaken the bill any, then?

Mr. STAFFORD. Only to this extent: In the last Congress bills were passed in the form of the gentleman's bill where we had the assurance of the chairman of the Committee on Claims that no payment would be made retroactive from the date of the passage of the bill. Through the influence of some powerful person they got an interpretation by the Employees' Compensation Commission that the compensation allowance dated back to the date of the injury, an outrageous interpretation. We are now safeguarding the Government's interest in these cases by providing that no allowances shall be held to have accrued prior to the enactment of the act.

Mr. WATSON. I accept the gentleman's amendment. I may say on behalf of Mr. Green that he worked for three months after the accident. His eyes were affected. He then became blind. He did not attempt to file his claim until several weeks after he had become blind. I want to give this credit to Mr. Green.

Mr. STAFFORD. There is no question but what it is a meritorious claim. It is merely a question of safeguarding the Government's rights.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission is hereby authorized and instructed to receive and determine the claim of Lewis E. Green, a former employee in the United States Arsenal at Tullytown, Pa., without regard to the limitation of time within which such claims are to be filed under the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended.

Mr. EATON of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EATON of Colorado: Strike out all after the enacting clause and insert: "That the United States Employees' Compensation Commission is hereby authorized to consider and determine the claim of Lewis E. Green, who purports to have suffered injury on April 15, 1925, while employed at the United States Arsenal at Tullytown, Pa., in the same manner and to the same extent as if said Lewis E. Green had made application for the benefits of said act within the 1-year period required by sections 17 and 20 thereof: *Provided*, That no benefit shall accrue prior to the enactment of this act."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

RAPIDES PARISH, LA.

The Clerk called the next bill, H. R. 11242, to relinquish the title of the United States in and to lands in Rapides Parish, State of Louisiana.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all the right, title, and interest of the United States in and to section 57, township 4 north, range 1 west, Louisiana meridian, Rapides Parish, La., containing 135.44 acres, as shown on a plat of survey made by A. C. Phelps, deputy surveyor, approved March 13, 1839, by H. F. Williams, surveyor general for the district of Louisiana, and segregated thereon as a double concession, be, and the same is hereby, released, relinquished, and confirmed by the United States to J. Taylor Compton, T. Maddox Compton, Ursula Compton Craig, and the legal representatives of J. M. Armstrong, and to their respective heirs and assigns forever: *Provided*, That the said parties shall first submit to the Secretary of the Interior satisfactory evidence of long continuous possession of the said land under claim or color of title, together with payment for the said land at the rate of \$1.25 per acre.

SEC. 2. That when the required evidence and payment have been made, a patent shall issue for the said described land to J. Taylor Compton, T. Maddox Compton, Ursula Compton Craig, and the legal representatives of J. M. Armstrong: *Provided*, That such patent shall only amount to a relinquishment of any right, title, and interest of the United States in and to the land.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

B. F. HART

The Clerk called the next bill, S. 222, authorizing adjustment of the claim of B. F. Hart.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to adjust and settle the claim of B. F. Hart in the sum of \$65 as the bona fide holder of check No. 4957, dated May 15, 1925, issued by C. C. Collins, special disbursing agent, United States Veterans' Bureau, to the order of Theodore John Gustavus in payment under a vocational rehabilitation award, which payment was later determined to be unauthorized, and to allow in full and final settlement of said claim an amount not exceeding \$65. There is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$65, or so much thereof as may be necessary, for payment of said claim.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

WILLIE B. CLEVERLY

The Clerk called the next bill, S. 902, for the relief of Willie B. Cleverly.

The SPEAKER. Is there objection?

Mr. BACHMANN. Mr. Speaker, I object.

ORVILLE E. CLARK

The Clerk called the next bill, H. R. 1579, for the relief of Orville E. Clark.

Mr. EATON of Colorado. Mr. Speaker, I object.

Mr. ROGERS. Will the gentleman reserve his objection?

Mr. EATON of Colorado. If the gentleman wants to make a statement, I reserve the objection.

Mr. RAMSPECK. Is the gentleman going to object?

Mr. EATON of Colorado. If the gentleman can give a proper reason why a man who is discharged in this way should receive this payment, I shall be pleased to hear what kind of reason he has.

Mr. ROGERS. I will tell the gentleman that the reason this claim made a favorable impression both upon the subcommittee and the entire committee, leading them to believe that this man in all fairness and equity was entitled to this \$240, is best expressed in the unquestioned testimony that was brought before the committee that this man was duly commissioned as a captain in the United States National Guard and served as adjutant, and I now read directly from the report, which the evidence showed to be true:

Until January 12, 1918, at which time he was transferred to the depot, corps, and Army troops, Camp Wadsworth, S. C. Some time after, Captain Clark had been a member of the Second Pioneer Infantry and upon being informed that all other officers of the regiment had received their overseas examination, he remarked to the commanding officer of said regiment that he also would like to receive his examination. Nothing more was thought of this remark until about 10 days later he was ordered to appear before an examining board.

On so reporting he was handed a telegram from the War Department informing him he was honorably discharged from the service by reason of physical disability. At that time his attention was called to the fact that under an act of Congress of 1917, May 18, he should make claim for one month's additional pay and allowances when filing his final pay voucher. He made this claim under the law, and it was disallowed by the auditor of the War Department for the sole reason that the board finally appointed by the commanding general at that time was not appointed pursuant to this particular act.

This was the only reason the claim was disallowed. Then upon the suggestion of his regimental commander he came to Washington and made application for a reexamination, which was duly held in the Surgeon General's department, and as a result of this reexamination this man was recommissioned as a captain of the United States National Guard as of May 27, 1918, and served throughout the remainder of the war, being discharged July 17, 1919.

Mr. EATON of Colorado. You mean to say this man was a captain and did not know the difference?

Mr. ROGERS. He did what he was instructed to do, and the only reason the claim was not allowed was because the board of officers which was appointed by the commanding general at that time was not appointed pursuant to this particular act.

Mr. EATON of Colorado. And 15 years afterwards he comes in to get this \$240 that he, as a captain, knew just as well then, as he knows now, he had the right to claim.

Mr. ROGERS. Oh, no; he did not.

Mr. EATON of Colorado. I think that is a fair statement from the report.

Mr. GRISWOLD. May I call the gentleman's attention to this particular feature of the claim, because I investigated it pretty thoroughly and was of the same opinion as the gentleman to begin with. This man, after being discharged by this medical board, was recommissioned and went overseas and served out his time, and the thing that they discharged him for in the first place was "flat feet in marked degree." The first board must have been mistaken, because this man was recommissioned and went overseas afterwards and served until July, 1919. He was required to spend a lot of money in being transferred around after being discharged, in order to be recommissioned.

Mr. EATON of Colorado. The very inconsistency pointed out is what impressed me that a man who rose to the rank of captain in the Army should not ask Congress to give him

\$240 as back pay that he was entitled to in 1917, if he is entitled to it at all.

Mr. LEWIS. He was obliged to spend more than twice \$240 on account of being wrongfully put out of the service and then restored to the service. He is making no money out of the transaction, and, in fact, is still a heavy loser.

Mr. EATON of Colorado. Let this go over, and if there is any opportunity to return to it, we can do so, and in the meantime I will read the report. I had no idea that this man had been reinstated; and even if I had, he knew then the facts and his claim has not been made until this time. Mr. Speaker, I object.

OFFICE OF THE DISTRICT ATTORNEY FOR THE SOUTHERN DISTRICT OF NEW YORK

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

Mr. BACHMANN. Reserving the right to object, are we through with the Private Calendar?

The SPEAKER. We are through with the Private Calendar for to-day. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I rise here under protest, to call your attention to the fact that I have to-day introduced a resolution to investigate the office of the district attorney for the southern district of New York.

It is distasteful to me to do this, but the matter has gone so far that I think the House ought to know something about the condition of that office.

The Federal district attorney of New York is under the belief that the Republican Party was reelected at the last election, and from the day after election to the present time he has sent out thousands of subpoenas to innocent victims to find out if they saw anything wrong in the polling places.

Mr. SNELL. Is the gentleman referring to anything that took place in the House a few days ago?

Mr. DICKSTEIN. If the gentleman will allow me to proceed. Within three days after election he called the grand jury together and brought innocent people into the Federal court, trying to find out if some money for bribery was given any individual.

I assure you that the district he is aiming at, if you turned the people upside down, there would not be a nickel drop-out of any pocket.

At the same time he believes that money was given for the purpose of preventing votes to be cast for the Republican ticket. As a result of that crusade, for three months he has brought women and men to court, and he got a judge, a distinguished jurist, to my surprise, to issue an order for fingerprints and photographs of these alleged violators or conspirators.

Let me call your attention to the fact that we have several thousand cases for violation of the prohibition law that have been on the calendar for two years. We have at least a couple of hundred cases for violators, dope peddlers, and counterfeiters on the docket, and he has for three months kept his great office busy investigating the late election.

Nothing else was done by him and his assistants. Everybody is on the job to find out the great frauds that defeated the Republican Party. I venture to say that in one district between the tally sheets and the machine there was only a difference of 1 vote, and he indicted the whole board.

Remember gentlemen, I am not complaining about prosecutions in the district attorney's office, where the man is seeking to indict persons guilty of crime and where he is honestly discharging or seeking to discharge his duties.

I object most strenuously to the haling into court of innocent men and women whose only crime consists in being members of an election board seeking to certify that the Democratic and not the Republican ticket carried the last election.

The district attorney uses his office deliberately and maliciously to drag these people to court, make them lose their time from work, just so as to be able to prove that he has discovered frauds which as a matter of fact never existed.

As far as I know, this is the first time in the history of my city that a Federal district attorney took it upon himself to investigate elections.

It has been the unbroken tradition in New York for the local authorities and the State authorities to supervise all of our elections, and I do not know of any instance in the last score of years in which a Federal attorney would take it upon himself to become the chief investigator of alleged election frauds.

That is the sort of indictment the United States district attorney of New York after three months of investigation is getting. He has been indicting people most cruelly and unjustly seeking to take away from them their rights under the Constitution, both State and Federal.

Mr. SCHAFER. Why does not the gentleman have him impeached?

Mr. DICKSTEIN. What I say is enough for impeachment. I do not want to be that cruel. I want to give him and his assistants the opportunity to appear before the Committee on the Judiciary and present their defense, because I am ready to-morrow to prove that he is using that office for his own purpose and feathering his own nest and abusing the privileges of his office and powers vested in him.

I am interested only in the protection of the weak and innocent citizens of my district, who are not treated fairly and who are forced to be made defendants in criminal cases, and retain counsel at great expense so as to prove their innocence where nothing in the wide world justifies this uncalled-for conduct on the part of the Federal attorney.

I believe it is my duty as a Member of Congress to protect the interests of these prosecuted citizens, men and women, so as to prevent injustice to be done to them.

Let George Z. Medalie explain his conduct. If he is innocent, I shall be the first to declare my gratification; but if he is guilty, let justice act accordingly.

The SPEAKER. The time of the gentleman from New York has expired.

THE LATE REPRESENTATIVE BUTLER

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein an address delivered by the gentleman from Oregon [Mr. HAWLEY] at the memorial exercises held in The Dalles, Oreg., for the late Representative ROBERT R. BUTLER, of Oregon.

The SPEAKER. Is there objection?

There was no objection.

Mr. DOUGHTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address delivered by Hon. W. C. HAWLEY, of Oregon, at the memorial exercises of the late ROBERT R. BUTLER at The Dalles, Oreg.:

These exercises are held under the auspices of the House of Representatives of the United States in memory of our former colleague, ROBERT REYBURN BUTLER, as an expression of the affection and esteem of the Congress.

Congressman BUTLER was born in Butler, Johnston County, Tenn., on September 24, 1881, and was the son of Dr. William Roderick Butler and his wife, Rebecca Carolin (Grayson) Butler. He was educated in Holly Springs College and was graduated in 1903 from the department of law, Cumberland University, Lebanon, Tenn.

He engaged in the practice of law in Tennessee and Oregon for some 18 years. He was appointed circuit judge of the eleventh judicial district of Oregon, from which position he resigned after a service of two years. He was a member of the Oregon State Senate from 1912 to 1916 and from 1924 to 1928. He was elected as presidential elector in 1908 and again in 1916. He was elected to Congress in 1928 to fill the unexpired term of Judge Nicholas John Sinnott and reelected to the Seventy-first and Seventy-second Congresses.

He attained eminence as a lawyer, was an able and upright judge, and in the Senate of Oregon a sound and effective legislator. He loved and studied the great literature of the world. His was an earnest and informed patriotism. He diligently studied our history, the policies of its great leaders, and spoke with convincing eloquence of its achievements and ideals. He carefully explored every question with which he had to deal, and from a wealth of information he arrived at his conclusions.

He was by training and experience a sound and learned lawyer; his legislative experience was of great value; his wide and discriminating study of public questions informed him of the coun-

try's needs and enabled him to judge the value and practicability of legislation proposed to serve them.

That is, he came to Congress unusually well prepared and well qualified to serve in that distinguished body. He fully justified his election thereto by the quality of service he rendered.

The Congress of the United States is an exacting body. A Representative may enter its halls with a lifetime of success and achievement to his credit, but the House will ask, "Can he serve well here; is he capable of valuing information; is he careful in his statements, thoroughly advised before he speaks, able to form sound conclusions, and is the public welfare his greatest aim?"

Those in that body who are most often speaking on the floor of the House are not necessarily its leaders. Men of moment in Congress do not attain leadership quickly. Members will study, discuss, and judge them to determine what motives actuate them and whether at all times they are to be trusted.

In the comparatively short time Judge BUTLER was in Congress he steadily made his way, because he demonstrated his possession of the essential qualifications for service in that great body. His ideal was the public good and the welfare of the people he had to serve. From these purposes he could not be swerved.

When he came to Congress I was a member of the Committee on Committees that assigned the Republican representatives to committee appointments. Judge BUTLER did not request places on committees because of their supposed importance. The importance of any committee in any particular session depends upon the character of the legislation demanded to serve the country at the time. However, some committees have a continuing importance as the questions with which they deal are perennial in character. Judge BUTLER, taking into consideration his experience, training, and geographical location, decided he could best serve the country and his constituents if he were given places on the committees on Public Lands, Reclamation and Irrigation, and Claims. The event justified the wisdom of his decision. In four years and under unusual conditions, in adverse national circumstances, he has been unusually successful. What he has done will be his enduring monument and the fitting conclusion of a notable life.

The Congress of the United States expressed its sincere sorrow at his death and directed that a committee be appointed to accompany him to his last resting place in attestation of the honor and esteem in which the Nation held him, represented here by Representatives ROBERT L. DOUGHTON of North Carolina, in all probability the next chairman of the Committee on Ways and Means, ALBERT JOHNSON of Washington, who attained national fame because of his work on immigration, ROBERT M. SIMMONS of Nebraska, an important member of the Committee on Appropriations, and RALPH HERR of Washington, of many useful public services, and myself.

We appear here as the representatives of the greatest legislative body in the world to express its sense of public loss in the death of a strong, able, and useful Member and that the world may know the honor due him.

The Congress of the United States has appointed this ceremony to call to the attention of the people of the United States, and especially to those of this district and State, that there has passed from its Halls a public servant worthy of great honor because of his acts and deeds and high conception of his duties and responsibilities. We have held and will continue to hold him in love, honor, and remembrance, because daily contacts and observation have determined him to be worthy of confidence and esteem.

I have given a brief summary of the life work of this notable man. The first stage of his life has ended. I am a profound believer in the immortality of the human soul and its continued intelligent existence and its capacity of unlimited development.

The memories of mankind generally of the worthy deeds and lives of yesterday and to-day are obscured by interests arising in the floods of the unending to-morrows with their immediate importance.

"So fleet the works of men back to earth again,
Ancient and holy things fade like a dream."

But there is a memory that holds in everlasting remembrance earth's worthy men and their deeds, that accounts them of inestimable value, and preserves them in unfading recollection. Worth in life and character are imperishable. They add to the sum total of the value in human life and ennobles humankind. They are the vesture of immortality.

JOHN PAUL JONES

Mr. STOKES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon John Paul Jones, father of the American Navy.

The SPEAKER. Is there objection?

There was no objection.

Mr. STOKES. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

John Hay, when he attended Brown University in his freshman year, was called upon for a speech and the toastmaster said, "Now, Hay, we don't want anything dry from you." "Well," said Hay, "now, really green hay can never be dry."

And I doubt not you may think the same of me to-night, so I shall endeavor to make this story as interesting as possible by giving you as much of the original words of John Paul Jones.

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The Continental Congress met in its second session in Philadelphia on May 10, 1775.

It appointed a naval or marine committee, of which Robert Morris was chairman, to consider, inquire, and report on the organization of a naval force.

On June 24 the committee met and authorized its chairman to invite John Paul Jones, of Virginia, to lay before them such information and advice as might seem to him useful to the committee.

In order to understand more clearly the man of whom I am speaking, I shall give you a brief description of him.

First of all, he was a man of action, with energy and will power; he was also a dreamer, for he had a vivid imagination, and from his earliest days loved America and yearned to become like his brother William, an American colonist. He at an early age prepared himself for the future service to which he was called. As Lowell said in speaking of our country—

"They love her best who to themselves are true,
And what they dare to dream of, dare to do."

He carried himself erect, with dignity and with the air of a man completely self-confident, with a firm and supple gait like a panther.

He dressed neatly and carefully in the uniform of an American naval officer, as passed by the marine committee of the Continental Congress September 5, 1776, 3-cornered hat, a blue coat with red facings, starched cuffs, high stock collar, a cascade of delicate white ruffles, flat yellow brass buttons, scarlet waist coat edged with lace, blue breeches, white stockings, and low soft leather shoes; his buttonholes were embroidered with gold thread.

He stood 5 feet 7 inches in height, with slender legs, yet powerful shoulders and chest, small hands and feet, his dark brown hair powdered and tied with a queue at the back. His high cheek bones and grayish black eyes gave him the appearance of a man who was sound in body and mind. The best likeness of him is the bust by Houdon owned by the Academy of Fine Arts of Philadelphia. It was made from actual measurements from his person.

He possessed the "mens sana in corpus sanum."

He was a great reader and a careful student, using his spare time on shipboard toward improving his mind, which he undoubtedly accomplished, as his numerous letters written in beautiful English attest.

It is needless to say that he was absolutely fearless.

At a party at Norfolk, Va., he knocked down a drunken English lieutenant for saying something low about American women. He was small of stature, soft in speech, but under his softness he was bold, very daring, very resourceful, active, and intelligent.

In Longfellow's words: "The velvet scabbard held a sword of steel."

John Paul, for his name was not as yet Jones, was the son of an intelligent fisherman, who lived on a large estate known as Arbigland, on the southern coast of Scotland, along the Solway Firth; his father was in the employ of Robert Craik, a member of Parliament, who had bought or leased the estate from the Earl of Selkirk.

He was the youngest son of five children, was born in the year 1747, was educated at the parish school, and early took to the sea in his native fishing boats. At the age of 12 he made his first voyage in the brig *Friendship* to Virginia.

Here, on the banks of the Rappahannock River, he first met his brother, William Paul, who, having previously gone to Virginia, had married the daughter of a planter named William Jones and assumed his name and also the management of his estate.

William Jones, the owner of the estate at this time, offered to adopt John Paul, but he decided to stick to his ship and returned to Scotland.

He served on board a British man-of-war as acting midshipman and stayed there long enough to find that family influence had more to do with advancement than personal merit; his juniors were promoted while he himself remained unnoticed.

He later became a mate in an African slaver, but soon gave up this business in disgust, for out of every 100 slaves 20 died on the voyage across the Atlantic. And it was reported that large fortunes were made from this traffic on both sides of the Atlantic.

Later on he was appointed captain of a ship to trade with the West Indies. During this cruise the crew mutinied at the island of Tobago. A man named Maxwell was the ringleader. He attacked John Paul with a crowbar; and he, in defending himself with his sword, killed the man. On his return he was tried for murder on the high seas, but acquitted. He was of a sensitive disposition and for some time it weighed on his conscience.

The period of his life in which he took such a prominent part in our struggle for independence is naturally most interesting to Americans.

Now, in 1760 his brother in Virginia died, leaving the estate consisting of a large plantation with some 200 slaves to John Paul, provided he assumed the name of Jones.

Having gladly agreed to this arrangement, John Paul adopted the name of Jones and became a Virginia colonist, where he hoped to live "in calm contemplation and poetic ease" for the rest of his days.

While he had formerly led a rough life and had been accustomed to all kinds of hardships and had been on all sorts of ships, he had never neglected the improvement of his mind and the refinement of his manners. He was therefore a very acceptable neighbor in the little Virginia colony. It is said he was in love with

Dorothea Spottswood Dandridge, who in 1777 married Patrick Henry, then Governor of Virginia, as his second wife. She was the daughter of a former captain of the British Navy.

Jones settled in Virginia about a year before the first Continental Congress met. Of course it was now necessary for him to take a stand on one side or the other, and as he was a Virginia landowner he most naturally sided with the Colonies.

He determined also to do all in his power to actively aid the Colonies in achieving their independence.

Early in 1775 Philip Livingston, of New York, visited Virginia to discuss with its leaders—Washington, Jefferson, and Madison—the best methods to pursue in order to carry out the stupendous work they had undertaken of building a new nation. Paul Jones attended some of these meetings. He writes:

"I availed myself of these conferences to assure Colonel Washington, Mr. Jefferson, and others that my services would be at their disposal whenever they should require service in my own element."

In 1774 it became clear that the issue between the British Crown and the Colonies could only be decided by force. On April 19, 1775, the Battle of Lexington was fought, and on June 17 the Battle of Bunker Hill. At this time two French frigates under command of Commodore De Kersaint, with the Duc de Chartres as second in command, put into Hampton Roads. Jones cordially entertained these gentlemen, and in this way made friends with them, which lasted through his life.

In accordance with the invitation of the naval committee, Jones set out for Philadelphia to advise with them about forming an American navy, the proper qualifications for naval officers, and the best type of boats for them to buy.

Jones worked for many weeks on the reply that he prepared for the committee; and, in the words of Mr. Thursfield, "This masterly document is still, if I may so call it, the moral and intellectual charter of Annapolis and the sure and everlasting warrant of Jones's title to be called 'the father of the American Navy.'" I will quote a part of it:

"As this is to be the foundation—or, I may say, the first keel timber—of a new Navy, which all patriots must hope shall become amongst the foremost in the world, it should be well begun in the selection of the first list of officers. You will pardon me, I know, if I say that I have enjoyed much opportunity during my sea life to observe the duties and responsibilities that are put upon naval officers.

"It is by no means enough that an officer of the Navy should be a capable mariner. He must be that, of course, but also a great deal more. He should be as well a gentleman of liberal education, refined manners, punctilious courtesy, and the nicest sense of personal honour.

"He should be not only able to express himself clearly and with force in his own language with tongue and pen but he should also be versed in French and Spanish (for an American officer particularly the former), for our relations with France must necessarily soon become exceedingly close in view of the mutual hostility of the two countries toward Great Britain.

"The naval officer should be familiar with the principles of international law and the general practice of admiralty jurisprudence, because such knowledge may often, when cruising at a distance from home, be necessary to protect his flag from insult or his crew from imposition or injury in foreign ports.

"He should also be conversant with the usages of diplomacy and capable of maintaining, if called upon, a dignified and judicious diplomatic correspondence.

"Coming now to view the naval officer aboard ship, and in relation to those under his command, he should be the soul of tact, patience, justice, firmness, and charity. No meritorious act of a subordinate should escape his attention or be left to pass without its reward, if even the reward be only one word of approval.

"Every commander should keep constantly before him the truth, that to be well obeyed he must be perfectly esteemed.

"But it is not alone with subordinate officers that a commander has to deal. Behind them, and the foundation of all, is the crew. To his men the commanding officer should be prophet, priest, and king. His authority when off shore being necessarily absolute, the crew should be as one man impressed that the captain, like the sovereign, 'can do no wrong.'"

The report was at once adopted by the naval committee but not before it had been submitted by Hewes to Washington, who said: "Mr. Jones is clearly not only a master mariner within the scope of the art of navigation, but he also holds a strong and profound sense of the military weight of command on the sea. His powers of usefulness are great and must be constantly kept in view." Hewes was a member of the naval committee and a great friend and supporter of Jones.

Paul Jones wisely opposed constructions of ships of the line. He said, "Such ships are too large both in building and keeping in commission and require too many men for our present resources. Their use is mainly strategic and must operate in fleets and squadrons calculated to fight ranged battles, etc. On the other hand, I would keep a step farther than the English and French have yet gone in frigate designs. I would create a class of 18-pounder frigates to carry 38 or 40 guns. By this means we shall have a frigate type one-half again stronger than any now afloat."

Jones was now made first lieutenant of the *Alfred* under command of Dudley Saltonstall, of Boston. This was one of the ships he had surveyed and recommended for purchase.

He was deeply disappointed at not having command; but, as Saltonstall had not arrived in Philadelphia, he was directed to

take command and break the pennant, the "Pine Tree and Rattlesnake" emblem with the motto, "Don't tread on me."

This problem was used for a few months before the Stars and Stripes were adopted, and Jones also had the honor of first hoisting the flag of our country over the *Ranger*.

The first attempt of the new Navy was not very good. In February, 1776, under Commodore Ezekiel Hopkins, four vessels set out for the Bahamas to intercept British commerce. Thanks to Jones, they captured Fort Nassau in New Providence.

They returned early in April, having failed to capture a British sloop, the *Glasgow*. The result was a series of courts-martial, both Hopkins and Saltonstall being retired, which, unfortunately for their own reputations, was only temporary.

Jones incurred no blame for this and thanks to his friend Hewes was given command of the sloop *Providence*. On August 21 he set sail for a six weeks' cruise, which brought him his first triumph. His ship was small but fast and carried only 12 guns. He selected his own crew. He captured three valuable prizes, which he sent home. While cruising in the *Providence* off the island of Bermuda he sighted a fleet of five sail, the largest of which he thought a merchantman. He ran down to cut her off but found she was an English frigate, the *Soleby*, of 28 guns and a fast sailer. With such a ship the little *Providence* had no chance, so he tried to escape, hoisting the Continental colors.

He now gave an example of skill and daring worthy of the best type of seamanship. The frigate began firing and Jones returned it. For four hours he was pursued, finally getting within musket shot.

The situation was now dangerous, but Jones was equal to the emergency. With great calmness he began edging gradually to leeward without arousing suspicion, until he had brought the *Soleby* on his weather quarter, when the helm of the *Providence* was turned sharply; suddenly crowding on all sail, he was off before the wind and escaped.

Jones said, "Our hairbreadth escape and the saucy manner in which we made it must have mortified the enemy not a little. He might have fired several broadsides when we were within musket range, but was a poor marksman and did not hit the *Providence* with any of the many shots he fired."

The news of his success was a great encouragement to the marine committee.

On his return he was promoted to captain, receiving his commission from the hand of Thomas Jefferson.

He now for the first time learned of the loss of his property in Virginia by Lord Dunmore.

Lord Dunmore, the British Governor of the Colony of Virginia, having been driven from the neighborhood, took refuge on a British man-of-war. There were no British soldiers in the Province, but with the aid of a few loyalists and negro slaves, to whom he promised freedom, he had ravaged the Virginia coast. Among other destructions, he completely demolished Jones's plantation—his houses were ruined, his wharf broken, his buildings burned, his livestock killed, and his slaves carried off to Jamaica to be sold. This left Jones penniless. He said at the time, "I have no fortune left but my sword."

In April, 1777, Jones was cut to the heart to find in a new list of commanders he was placed as low as eighteenth on the list; that even Hacker, who had deserted him, was above him. His friend and patron, Hewes, had lost his seat in Congress and was therefore no longer on the marine committee.

On June 14, 1777, Congress voted two resolutions:

That the flag of the United States be 13 alternate red and white stripes and 13 white stars on a blue field, and that Capt. Paul Jones be appointed to command the ship *Ranger*. This appointment restored his hopes and gave him encouragement.

The *Ranger* had been built in Portsmouth, N. H. She was very fast, with 18 guns, of 308 tons.

He was commissioned by Congress to carry the news of Burgoyne's surrender to Franklin and sailed from Philadelphia on October 30, 1777, promising to cross in 30 days. He landed at Brest on December 2, two days beyond his promise.

On the morning of December 5 he placed the dispatches in Franklin's hands in Paris.

Just two months later, February 6, 1778, the treaty of alliance with France and the United Colonies was signed at Versailles, which was of tremendous moral and physical importance to our country as well as assuring American independence. This was followed later by the dispatch of a French army to the United States under Rochambeau and a fleet under De Grasse, to which largely were due the final surrender of Cornwallis at Yorktown.

Jones did not arrive a day too soon. Louis XVI was King of France, and she was already, although a great power, a bankrupt country, having been ruined by the extreme extravagance of Louis XIV and Louis XV. The very year Jones arrived she had a huge national deficit, which was daily increasing.

A few years later the Revolution broke out and it would have been too late to receive any aid from France.

Here on February 14, 1778, in the harbor of Brest, Jones, on the *Ranger*, received the first salute ever offered to the American flag, from the French Grand Fleet under D'Orvilliers.

Jones used the *Ranger* for a descent on Whitehaven on the Scotland coast. Its actual results were insignificant, for he merely destroyed a single vessel, but it taught the English that the security of their ports was in danger and compelled them to take expensive measures of defense. Disraeli said:

"The descent on Whitehaven produced consternation all over the Kingdom. Expresses were immediately dispatched to all the

capital seaports; all strangers in Whitehaven were arrested. Look-out vessels were appointed at every port and all forts were put into condition."

During one of these raids his men carried off some plate belonging to Lady Selkirk, but it was later returned by Jones.

Jones crossed the channel opposite Carrickfergus. There some fishermen told him the British war sloop *Drake* of 20 guns was at anchor. Jones was very glad to hear it, for he had been anxious for a fight with the English in their own waters.

The *Drake* moved out slowly, hoisted her colors, and hailed, "What ship is that?" "The American continental ship *Ranger*," called Nathan Sargent, as the American flag went up. "Come on; we're waiting for you."

The ships gradually were closing together, and then there burst from each a broadside. The action became furious, and both the captain and first lieutenant of the English ship fell. "I have never before seen men," wrote Jones, "handle guns as they handled the *Ranger's* 9-pounders." Holes began to be seen in the *Drake's* sides, and Jones ordered the guns to be aimed for the sails and rigging in order to save the hull and take her prisoner. Very soon the ship was helpless and soon struck her colors, and Jones boarded her after a fight lasting 1 hour and 40 minutes. She lost 42 men out of 160. Jones lost only two killed and seven wounded. Among the dead was Lieutenant Wallingford.

Jones returned to Paris, and at Franklin's house at Passy he met the Duke and Duchess de Chartres.

At the suggestion of the Duc de Chartres he wrote a letter to the King of France, asking for assistance in getting a ship. The letter was shown to Franklin, who returned it without comment.

The letter was presented to Louis XVI by the Duchess de Chartres early in December and on December 16th Jones was received in audience by the King with the result that he was given command of an old 40-gun ship *LeDuras*, which he renamed *Bonhomme Richard* in honor of Franklin.

Jones was authorized to enlist French sailors, if needed, and the ship was to be armed and equipped at the cost of the French Government. But the money not being available at once, the Duchess de Chartres, whose private fortune was immense, gave Jones an order on her banker for 10,000 louis d'or, almost \$50,000. This money Jones insisted upon regarding as a loan and when later he offered to refund it, the Duc replied: "No; not unless you wish her to dismiss you from her friendship. She did not lend it to you, she gave it to the cause." Of the *Bonhomme Richard's* crew not more than 50 were Americans, the rest were French and Portuguese and a few British, with 122 French soldiers; besides Jones had the *Alliance*, the *Pallas*, and the *Vengeance*—three small American vessels.

Spain had announced an alliance with France and declared war against England, June 16, 1779. Admiral d'Orville, commander of the French fleet, had put out from Brest unopposed with a fleet of 28 sail of the line, and before the end of July had joined the Spanish fleet off the Peninsula, making a total combined fleet of 66 sail of the line. By August 16 he was off Plymouth and on September 1 came in sight of the British Channel Fleet of 38 ships. But Admiral Sir Charles Hardy declined to risk an action, and d'Orville did not attempt to force one.

It was just at this time that Jones entered the North Sea with his little squadron, having passed to the westward of both Ireland and Scotland, and on September 17 was off the Firth of Forth.

It was not merely luck that gave him this opportunity, it was partly due to careful arrangement and calculation. He knew that while the French fleet was at sea all the available British ships would be needed to watch it.

The first part of the cruise was devoted mainly to capturing prizes, which were sent back to French, Danish, and Dutch ports, their crews being held as prisoners on the *Bonhomme Richard*; thus it was he had over 200 prisoners on board under hatches during the fight with the *Serapis*.

Jones attempted to make a descent on Leith, hoping to place it under contribution, but was driven out by a high gale. The *Alliance* took no part, as she had now assumed an independent command under Landais, a disloyal French officer, who had been dismissed from the French Navy and having gone to America, induced the naval committee to give him a command.

Jones knew that a British convoy from the Baltic was due here about this season and that it generally made for Flamborough Head after crossing the North Sea.

He got news of the convoy on September 22, 1779; the *Vengeance* told him it had put into Bredlington Bay and was awaiting a favorable wind to carry it to the Downs. The next day it was sighted.

The convoy was attempting to weather Flamborough Head and the escorting men-of-war, the *Serapis* and *Countess of Scarborough*, occupied a covering position between Jones and the merchantman. The morning was spent in maneuvering for a position. The merchantman used this opportunity to escape. Jones ordered the *Pallas* to attack the *Countess of Scarborough*—a small ship of 24 guns—which she did, and later compelled her to surrender after a stiff action. He ordered the *Vengeance* to keep out, saying "You are not big enough to bear a hand in this."

Meanwhile the *Alliance* had reappeared, but not to aid the *Richard*.

About 7 o'clock in the evening the two big ships were within short range of each other, Jones having the weather gage.

They were about 7 miles offshore, the wind being light from the southwest and veering to the westward, the sea smooth, the

sky clear, with full moon; both ships were on the same tack heading northwest.

The *Serapis* twice hailed the *Richard*, and the second time was answered by a broadside. Then began a fight lasting somewhat over three hours, probably one of the most desperate in the annals of the sea.

"The *Serapis*, with 40 guns," said Disraeli, "was one of the finest frigates in his Majesty's navy and had been off the stocks only a few months. Her crew were picked men, and she was commanded by Capt. Richard Pearson, an officer celebrated even in the British navy for his undaunted courage and exemplary conduct. The *Bonhomme Richard* was an old ship with decayed timbers and had made four voyages to the East Indies. Many of her guns were useless and all were ancient. The American commander had nothing to trust to but his own undaunted courage and extraordinary skill."

In a very short time the *Richard's* lower gun deck of 18-pounders was disabled and put out of action. The remaining guns on the upper deck were serviceable and were very well served.

Pearson tried to get across the *Richard's* bows so as to rake her, but failed; the two ships fouled, and Jones attempted to grapple, but the grapnels did not hold, and the two ships fell apart again. The firing was again renewed, and it was clear that the *Richard* was getting the worst of it.

"Dick," said Jones to Richard Dale, his first lieutenant, in command of the gun deck, "his metal is too heavy for us at this business. He is hammering us all to pieces; we must close with him; we must get hold of him! Be prepared at any moment to abandon this deck and bring what men you have to the spar deck, and give them small arms for boarding when you come up."

The *Bonhomme Richard* was leaking badly, and although the prisoners were kept at the pumps she had sunk 2 feet below her ordinary trim. He reproved at the time a sailor for swearing, with the admonition that any moment they might be in eternity.

But now the wind commenced to veer to the west and freshened as it veered. Gradually the *Richard* forged ahead and commenced to wear across the bows of the *Serapis*; being on the windward side, she took the wind out of her enemy's sails and stopped her headway.

If she could complete this plan, she would have another chance to grapple.

It was just now that Landais, the captain of the *Alliance*, took a hand in the affair, and after firing a couple of broadsides in such a way as only to hit the *Richard*, she turned and steered off.

Meanwhile Jones continued his plan of attack of crossing the bows of the *Serapis* and, since his guns were mostly silenced, of bringing his musketry into play.

Captain Pearson thus describes the fight at this point:

"I backed our topsails in order to get square with him again, which as soon as he observed, he then filled, put his helm a-weather, and laid us athwart-hawse; his mizzen shrouds took our jib boom, which hung him for some time, till it at last gave way, and we dropt alongside of each other, head and stern, when the fluke of our spare anchor hooking his quarter, we became so close, fore and aft, that the muzzles of our guns touched each other's sides. In this position we engaged from half past 8 to half past 10.

"Now that the anchor of the *Serapis* had caught the *Bonhomme Richard*, Jones had it securely lashed there, passing the lashes with his own hand in order to be sure that they held.

"The main deck of the *Richard* was now abandoned for Jones had determined, as soon as he could grapple, to fight with muskets and hand grenades. But the *Serapis* was still in good shape and now her starboard broadsides were brought into action, and the gun crews shifted from port to starboard. Her port sills had been closed and could not be opened because of the nearness of the ships. They were blown out by the first discharge of the guns. While the timbers of the *Richard* were being torn to pieces, Jones was getting the upper hand on the deck. He kept up a murderous fire with his small arms and muskets, so that scarcely a man could live on the deck of the *Serapis*. And, particularly, he attempted to prevent the effort of the *Serapis* crew from casting loose the fastenings of the anchor, which held her to the *Richard*."

At this part of the battle it is probable some one on the *Richard* called for quarter. As Captain Pearson said in his court-martial, "Hearing or thinking that I heard a call for quarter from the enemy, I hailed to ask if he had struck his colors. I did not myself hear the reply; but one of my midshipmen, Mr. Hood, did hear it, and reported it to me. It was to the effect that he was just beginning to fight. This, at first, I thought to be mere bravado on his part; but I soon perceived that it was the defiance of a man who, if he could not conquer, would sink with his ship alongside."

But Jones did not propose to sink, but rather to conquer.

He had prompted the Duchess of Chartres a frigate and this was his chance.

The master at arms on the *Richard* now opened the hatches and told the prisoners to come on the deck, believing the ship was sinking. Jones knocked a man down (he seems to have been everywhere during the fight), and Pierre Gerard, his French orderly, drove the others back, and killed one man who refused to go. Gerard was later second in command of the French ship *Neptune* at Trafalgar, and, therefore, took part in two of the most interesting naval battles in history.

Jones was afterward accused of murdering his prisoners at court of inquiry by order of the French Minister of Marine and Gerard stated he had killed the man on his own responsibility. Asked

why he did so, without orders and during the presence of his commander, he replied, "Pour éviter les desagréments, monsieur, aussi pour encourager les autres prisonniers; ainsi pour subvenir au commodore les besoins d'un devoir assez pénible."

Jones now sent up a supply of hand grenades into the maintop to be dropped from the yardarm into the enemy's hatch. A midshipman named Fanning succeeded in dropping one of them through the hatch to the main deck, where it ignited a row of cartridges, which did very great damage and rendered most of his guns on this deck unfit for action.

Pearson now tried one last chance. He anchored his ship, hoping that the *Richard* would drift clear of him, but he was disappointed, for the lashings held.

The fighting on the *Serapis* now relaxed and Jones took this opportunity to order John Mayrant, in charge of some American sailors recently exchanged from British jails, to board the enemy.

"Now is your time, John," cried Jones, "go on." Instantly, with a cry of "Remember Portsea jail," Mayrant sprang over the netting, followed by his men, and began fighting their way aft. There was little resistance; though Mayrant himself was slightly wounded, he shot his opponent down, and this was the last casualty of the battle. Pearson now struck his colors.

After the battle, the *Alliance* and *Vengeance*, signaling that they were sailing for the *Tezel*, left the *Serapis* and Jones with 700 men aboard, but after two days of storm Jones anchored safely beside them in the afternoon of October 3, 1779, having saved all his wounded and prisoners.

At Amsterdam large crowds gathered to see him. Two disagreeable tasks awaited him. The first was to suspend Captain Landais and place Lieutenant Degge in command of the *Alliance*. The second to prevent Sir Joseph York, the British minister to Holland, from demanding the surrender of Jones and his crew as "rebels and pirates."

Landais angrily challenged Jones to a duel. Jones accepted. He appointed as his seconds Lunt and Mayrant. They told Landais, who was undoubtedly crazy, that Jones had chosen for his weapons pistols at 10 paces. Landais held out for the rapier, but they insisted, and he dropped the subject and left for Paris.

When Jones left the *Ranger* he took the American flag—which had been presented to him by the ladies of Philadelphia—with him to the *Richard*. When he returned to America he apologized to one of the ladies who made the flag for not having brought it back with all its glories. "I could not," he said, "deny to my dead on her decks, who had given their lives to keep it flying, the glory of taking it with them." "You did exactly right, Commodore," the lady said. "That flag is just where we want it to be flying, at the bottom of the sea over the only ship that ever sank in victory. If you had taken it from it and brought it back, we would hate you."

Here ends the active career of John Paul Jones as a naval hero under our flag, and here ends my story. It is true he served in the Russian Navy at the invitation of the Empress Catharine, but he was very badly treated by his associates. He died in Paris in 1792 at 45 years of age.

Jones's last words were: "Give to my good old Dick my sword given me by the King"—meaning, of course, Richard Dale.

Thanks is due to Gen. Horace Porter in his untiring and patriotic effort in finding the hero's remains in Paris and bringing them with all military and naval honors to a permanent resting place at Annapolis, where his spirit, let us hope, still dominates that great naval college. The President of the United States himself pronounced the funeral oration in the presence of a very distinguished company.

WAR DEPARTMENT APPROPRIATION BILL—EXTENSION OF REMARKS

Mr. TABER. Mr. Speaker, when the military appropriations bill was before the House I offered, and there was adopted, an amendment to the bill which does away with the constructive service pay. The effect of this amendment and the reasons for it have not been very well stated to the public by the people who have attempted to criticize it.

It has been said by some that it is going back on a moral obligation owed to certain of our soldiers. That is not the fact.

At the present time officers who were commissioned from the ranks or from the National Guard are allowed to count their guard service and their enlisted service for the purpose of computing their pay, their pay being based, to a certain extent, on their length of service in the Army as commissioned officers. Thus an enlisted man or a former National Guard officer who receives a commission goes into the officer list of the Army and takes a position on the promotion list, is assigned to duty commensurate with that position, is under the officers above him, but by reason of the constructive-service proposition he is paid on the basis of commissioned service which he has not rendered, and he receives pay above those who are over him in command. Oftentimes one who is three or four ranks above an officer who has come into commissioned service from the ranks or from the National Guard, as a result of this discriminatory legislation, will receive pay below his inferior officers. Thus

a lieutenant colonel who is a graduate of the Academy may receive less pay than a first lieutenant. Thus a major who became a major a long time ahead of one who is a junior in rank and under him by 500 or 1,000 numbers on the promotion list, and who may actually be in command of his junior, may receive from \$1,000 to \$1,500 less pay.

My amendment wipes out this false basis of pay and places them all on the same basis. It does away with the discrimination which permits those in lower rank and performing less important functions and less responsible work receiving higher pay than those ranking above them and carrying more responsibility.

Another condition has existed that those who were commissioned prior to July 1, 1922, from the Military Academy have been permitted to count their years at the academy toward their longevity pay, while those who were commissioned after July 1, 1922, were not permitted to do so. My amendment wipes out this discrimination.

It has always seemed to me that before we cut pay we should wipe out abuses and do away with those things which because of the inequalities they create and because of the fact that they permit in so many instances those with lower ranks and those performing less responsible functions to receive greater emoluments than their superiors. It seems to me that we should tend to those things first.

I have been criticized by many people who have not stated the facts, both on the floor of the House and before the Senate committee, over the radio, and in the newspapers.

My amendment does not touch the pay of second lieutenants to any extent except in perhaps a few rare instances. It does not touch the pay to any appreciable extent of most of the officers. Frankly, I believe two-thirds of the officers of the Army are in favor of my amendment. I quote from a letter received from one of them yesterday:

As a former constituent of yours I am writing to let you know that your amendment will meet with the approval of the overwhelming majority of Army officers who for 10 years have had to watch a preferred group among their number receive a bonus of three and a half million dollars a year.

The great bulk of the total sum went to about 1,500 officers, while about 3,000 more received enough of a crumb to induce them to support such a pay arrangement. The other 8,000, doing the same work as the favored group, had to take less than a decent living wage and make the best of it.

Just to show that this is no new matter and that it has been given very marked attention on the part of Congress, I quote from the report of the joint committee of Congress headed by Senator REED, of Pennsylvania, the chairman of the Senate Committee on Military Affairs:

As noted above, under the present system it is possible not only for officers within one grade of a single service to be drawing more pay and allowances than their seniors in that grade, but also more than many of their seniors in one, two, three, and even four grades above. A striking case in point is the recent fact that a lieutenant of the Navy was receiving \$6,357 a year, \$138 more than the rear admiral, four grades above him, in command of a force composed of 38 destroyers, 1 cruiser, and 2 repair ships, on one of which the lieutenant was serving in, necessarily because of his rank, a subordinate capacity.

This situation, though unusual in so marked a degree, is in lesser degree, with a disparity of but one or two grades involved, a frequent condition of affairs in many of the services, and countless examples could be cited. It is in the violation of this cardinal principle that the joint service pay act is most at fault and that its effect is injurious to the efficiency and morale of the services. As stated above (par. 46), this condition is difficult to eliminate in a pay schedule applicable to several services, but it can be ameliorated by having only base pay for each grade, by strictly limiting the types of prior service not counted for rank that may be counted for pay purposes, and by the elimination of allowances.

This report was signed by Senator REED and all of the other members of the joint committee who were on it. (Five members were from the Senate and the other five were from the House.)

It will be seen that this committee recommended practically what I have done and their report was presented to Congress by Senator REED on the 24th of January, 1931, and appears in Senate Document No. 259, Seventy-first Congress, third session, page 21.

This amendment is not a blow at national defense. It is an effort not only to protect the taxpayers of the United States from an abuse against the Public Treasury by paying

one type of officer who performs less important functions and does less important work more money than those who are carrying the responsibility. It will restore to the vast majority of officers in the Army the morale which this long-standing discrimination against them in the matter of pay has destroyed.

Those who have opposed the amendment have cited individual cases of beneficiaries of the abuse which has crept up under the present legislation, but they have studiously avoided discussing the discrimination that this abuse has leveled against officers who are carrying more responsibility and are of far more importance to the Army.

My hope is that the people will pay attention to the facts and will understand this situation and where they are called upon to express an opinion will express it honestly and fairly in the interest of national defense and in favor of wiping out this abuse.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MALONEY, indefinitely, on account of illness in family.

To Mr. SMITH of Idaho, for several days, on account of illness.

SENATE BILL REFERRED

Bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 5431. An act to extend the time for the construction of a bridge across the Potomac River at or near Dahlgren, Va.; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill and joint resolution of the House of the following titles which were thereupon signed by the Speaker:

H. R. 14228. An act to change the name of "Roosevelt Island" to "Theodore Roosevelt Island"; and

H. J. Res. 565. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the presidential inaugural ceremonies in 1933.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 914. An act for the relief of Katherine R. Theberge;

S. 1858. An act for the relief of Harriette Olsen;

S. 2144. An act authorizing the Secretary of the Interior to grant a patent to certain lands to Charles R. Thornton;

S. 2395. An act authorizing the conveyance of certain land to school district No. 15, Lincoln County, Mont.;

S. 3504. An act for the relief of Lyman L. Miller; and

S. 4166. An act for the relief of James M. Griffin, disbursing agent, United States Coast and Geodetic Survey, and for other purposes.

ADJOURNMENT

Mr. BLACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 3 minutes p. m.) the House adjourned until to-morrow, Saturday, February 11, 1933, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

923. A communication from the President of the United States, transmitting schedules of claims amounting to \$28,441.44 allowed by the General Accounting Office, as covered by certificates of settlement (H. Doc. No. 543); to the Committee on Appropriations and ordered to be printed.

924. A communication from the President of the United States, transmitting records of judgments rendered against the Government by the United States district courts, as submitted by the Attorney General through the Secretary of

the Treasury (H. Doc. No. 544); to the Committee on Appropriations and ordered to be printed.

925. A communication from the President of the United States, transmitting deficiency and supplemental estimates of appropriations for the fiscal year 1933 and prior years for the Veterans' Administration, the Department of Labor, and the Navy Department, amounting in all to \$451,487.99, together with a draft of a proposed provision pertaining to an appropriation for the fiscal year 1932 for the Interstate Commerce Commission (H. Doc. No. 545); to the Committee on Appropriations and ordered to be printed.

926. A communication from the President of the United States, transmitting a list of judgments rendered by the Court of Claims, which have been submitted by the Attorney General through the Secretary of the Treasury and require an appropriation for their payment (H. Doc. No. 546); to the Committee on Appropriations and ordered to be printed.

927. A letter from the Comptroller General of the United States, transmitting, pursuant to the acts of March 2, 1927 (44 Stat., pt. 3, 1800), and February 2, 1929 (45 Stat., pt. 2, 2047), a report with my recommendation thereon of claim of Ellen T. Buckley, executrix of the estate of Julia Buckley, which was transmitted to this office by the Secretary of the Navy, covering property damage as required by the provisions of said acts; to the Committee on Claims.

928. A letter from the Comptroller General of the United States, transmitting, pursuant to the act of April 10, 1928 (45 Stat. 413), a report and recommendation to the Congress concerning the claim of White Bros. & Co. against the United States, with request that you lay the same before the House of Representatives; to the Committee on Claims.

929. A communication from the President of the United States, transmitting a letter for the consideration of Congress, estimates of appropriations, submitted by the Post Office Department to pay claims for damages to privately owned property, in the sum of \$33.50, which have been considered and adjusted under the provisions of the act of December 28, 1922, United States Code, title 31, section 215 (H. Doc. 547); to the Committee on Appropriations and ordered to be printed.

930. A communication from the President of the United States, transmitting a letter for the consideration of Congress, deficiency and supplemental estimates of appropriations for the Bureau of Indian Affairs, Department of the Interior, for the fiscal year 1932 and prior years, \$209,374.97, and for the fiscal year 1933, \$104,600, amounting in all to \$313,974.97, together with a proposed authorization for expenditure from Indian tribal funds amounting to \$6,000 (H. Doc. 548); to the Committee on Appropriations and ordered to be printed.

931. A communication from the President of the United States, transmitting a letter for the consideration of Congress deficiency and supplemental estimates of appropriations for the Department of State for the fiscal years 1929, 1931, and 1933, amounting to \$5,871.25 (H. Doc. 549); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SCHNEIDER: Committee on Immigration and Naturalization. H. R. 12173. A bill to provide for the deportation of certain alien seamen, and for other purposes, with amendment (Rept. No. 1994). Referred to the Committee of the Whole House on the state of the Union.

Mr. COX: Committee on Rules. H. J. Res. 518. A joint resolution establishing the United States Georgia Bicentennial Commission, and for other purposes; with amendment (Rept. 1995). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULMER: Committee on Agriculture. S. 4065. An act authorizing the packing of oleomargarine and adulterated butter in tin and other suitable packages; without

amendment (Rept. No. 1996). Referred to the House Calendar.

Mr. PALMISANO: Committee on the District of Columbia. S. 4694. An act to amend section 812 of the Code of Law for the District of Columbia; without amendment (Rept. No. 1997). Referred to the House Calendar.

Mr. BEEDY: Committee on Insular Affairs. S. 417. An act to provide a government for American Samoa; with an amendment (Rept. No. 1998). Referred to the Committee of the Whole House on the state of the Union.

Mr. CONNERY: Committee on Labor. H. R. 14518. A bill to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than five days per week or six hours per day; without amendment (Rept. No. 1999). Referred to the House Calendar.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 14580) granting an increase of pension to Rachel N. Martin; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 14594) to place Jesse C. Harmon on the retired list of the United States Marine Corps; Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WILLIAM E. HULL: A bill (H. R. 14627) to provide for the use in motor fuels of alcohol manufactured from agricultural products grown in the United States; to the Committee on Ways and Means.

By Mr. HALL of Illinois: A bill (H. R. 14628) to provide for the use in motor fuels of alcohol manufactured from agricultural products grown in the United States; to the Committee on Ways and Means.

By Mr. HOWARD: A bill (H. R. 14629) to amend the act of June 23, 1926, reserving Rice Lake and contiguous lands for the Chippewa Indians of Minnesota; to the Committee on Indian Affairs.

By Mr. RANKIN: A bill (H. R. 14630) to amend section 19 of the World War veterans' act, 1924, to provide for reference of suits on Government life-insurance claims to commissioners, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. PRALL: A bill (H. R. 14631) authorizing the Interboro Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across New York Bay between Brooklyn and Staten Island; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLINTIC of Oklahoma: A bill (H. R. 14632) relating to public works within the District of Columbia; to the Committee on Public Buildings and Grounds.

By Mr. COLLINS: A bill (H. R. 14633) to amend section 5 of the act of January 22, 1932; to the Committee on Banking and Currency.

By Mr. MILLARD: A bill (H. R. 14634) to amend the law relating to the naturalization of children of naturalized citizens; to the Committee on Immigration and Naturalization.

By Mr. CHRISTOPHERSON: Resolution (H. J. Res. 598) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. DICKSTEIN: Resolution (H. Res. 375) to investigate the conduct of George Z. Medalie, United States attorney for the southern district of New York; to the Committee on Rules.

By Mr. SHANNON: Resolution (H. Res. 376) authorizing the printing of additional copies of the report (H. Rept. 1935) on Government competition with private enterprise; to the Committee on Printing.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. HARE: Memorial from the Legislature of the State of South Carolina, memorializing Congress to amend the Reconstruction Finance Corporation act so as to permit the States and political subdivision thereof to borrow money for the purpose of refunding loans to be retired by taxation; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CULKIN: A bill (H. R. 14635) granting an increase of pension to Eliza Pickard; to the Committee on Invalid Pensions.

By Mr. CHAPMAN: A bill (H. R. 14636) for the relief of John Larison; to the Committee on Military Affairs.

Also, a bill (H. R. 14637) granting an increase of pension to Pearl Plummer; to the Committee on Pensions.

By Mr. KADING: A bill (H. R. 14638) granting a pension to Anna Lehner; to the Committee on Invalid Pensions.

By Mr. PARKER of Georgia: A bill (H. R. 14639) to authorize and direct the Secretary of the Navy to convey by gift to the city of Savannah, Ga., the naval radio station, the buildings and apparatus, located upon land owned by said city; to the Committee on Naval Affairs.

By Mr. REED of New York: A bill (H. R. 14640) granting an increase of pension to Miriam E. Crampton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14641) granting an increase of pension to Ella G. Millsbaugh; to the Committee on Invalid Pensions.

By Mr. SUMNERS of Texas: A bill (H. R. 14642) granting a pension to Mrs. Mary J. Cooley; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

10309. By Mr. ALDRICH: Petition of Alice L. Platt, Annie Ross, and 11 other citizens of Rhode Island favoring passage of Senate Joint Resolution 229; to the Committee on Foreign Affairs.

10310. By Mr. AMLIE: Memorial of the League of Wisconsin Municipalities, at Madison, Wis., urging a \$5,000,000 prosperity loan to municipalities to stimulate industry and for unemployment relief; to the Committee on Banking and Currency.

10311. By Mr. CARTER of Wyoming: Memorial urging the necessary action by Secretary of the Interior of the United States and the State board of land commissions to establish an equitable basis and fair market value and price for the crude oil produced from Federal and State owned lands in the Salt Creek field, Natrona County, Wyo.; to the Committee on Interstate and Foreign Commerce.

10312. By Mr. CLARKE of New York: Petition of Rev. Albert B. Judson, of Oneonta and vicinity, urging the adoption of the Sparks-Capper resolution concerning stop-alien representation; to the Committee on the Judiciary.

10313. By Mr. DELANEY: Petition of the temporary committee opposing tariff on wood pulp, urging an amendment to the Crowther bill (H. R. 8557) retaining wood pulp on the free tariff list; to the Committee on Ways and Means.

10314. Also, petition of the R. H. Comey Brooklyn Co., dyers and bleachers, urging a higher tariff on hat materials from Japan; to the Committee on Ways and Means.

10315. Also, petition of the Wood Chemical Institute (Inc.), urging an excise tax on wood chemicals; to the Committee on Ways and Means.

10316. By Mr. ENGLEBRIGHT: Memorial passed January 28, 1933, by the California State Legislature, being a resolution memorializing Congress to pass Senate bill 1197, known as the farmers' farm relief act; to the Committee on Agriculture.

10317. By Mr. EVANS of California: Petition of members of the First Russian Baptist Church of San Francisco, for the relief of Russian nationals unable to return to their nation; to the Committee on Immigration and Naturalization.

10318. Also, petition of approximately 185 persons who are opposed to the return of the liquor traffic in any form in Washington, D. C.; to the Committee on the District of Columbia.

10319. By Mr. GARBER: Petition of Substitute Post Office Employees' Association, New York City, urging enactment of House Joint Resolution 576, to limit the reductions in compensation applicable to certain employees whose compensation for any month is less than the monthly rate of compensation to which the economy act applies; to the Committee on Expenditures in the Executive Departments.

10320. Also, petition of E. N. Puckett, manager Union Equity Cooperative Exchange, Enid, Okla., discussing the domestic allotment agricultural bill (H. R. 13991) and making certain suggestions in regard thereto; to the Committee on Agriculture.

10321. Also, petition of the Asheboro Hosiery Mills, Asheboro, N. C., submitting plan for economic relief; to the Committee on Ways and Means.

10322. By Mr. KVALE: Petition of 21 residents of Alexandria, Minn., urging enforcement of the eighteenth amendment and protesting against any change in the prohibition act; to the Committee on the Judiciary.

10323. Also, petition of Minnesota Cooperative Wool Growers' Association urging retention of Farm Board; to Committee on Agriculture.

10324. Also, petition of Post No. 1173, Veterans of Foreign Wars, Moose Lake, Minn., urging payment of the adjusted-service certificates; to the Committee on Ways and Means.

10325. Also, petition of Parent-Teacher Association, Benson, Minn., urging regulation of motion-picture industry; to the Committee on Interstate and Foreign Commerce.

10326. Also, petition of Local No. 1, Bricklayers, Masons, and Master Mechanics Benevolent Union, St. Paul, Minn., urging enactment of Senate bill 5125; to the Committee on Ways and Means.

10327. Also, petition of Cooperative Creamery, Sleepy Eye, Minn., urging enactment of Frazier bill; to the Committee on Banking and Currency.

10328. Also, petition of Woman's Christian Temperance Union, Browns Valley, Minn., urging enforcement of the eighteenth amendment; to the Committee on the Judiciary.

10329. Also, petition of State legislature, State of Minnesota, urging remedial legislation to protect domestic producers against unfair competition, due to depreciated foreign currencies; to the Committee on Ways and Means.

10330. Also, petition of fourth and fifth districts, American Legion of Minnesota, urging adequate provision for the maintenance and equipment of our National Reserve Marine Aviation Corps; to the Committee on Appropriations.

10331. Also, petition of Minnesota Implement Dealers' Association, Owatonna, Minn., indorsing the Quamme plan of refinancing farm mortgages; to the Committee on Banking and Currency.

10332. By Mr. LAMNECK: Petition of Missionary Society of Wilson Avenue Church of Christ, of the city of Columbus, Ohio, petitioning Congress to establish a Federal motion-picture commission and to act favorably on Senate bill 1079 and Senate Resolution 170 before the Interstate Commerce Committee; to the Committee on Interstate and Foreign Commerce.

10333. By Mr. LEAVITT: Petition of Rev. Lester H. Norton and others against the weakening or changing of the eighteenth amendment; to the Committee on the Judiciary.

10334. By Mr. LINDSAY: Petition of R. H. Comey Brooklyn Co., dyers and bleachers, Brooklyn, N. Y., concerning certain tariff legislation; to the Committee on Ways and Means.

10335. By Mr. ROBINSON: Resolution of the Toledo Commercial Club, Toledo, Iowa, signed by W. P. Crossman, pres-

ident, and Will A. Pye, secretary, urging that great economy be exercised in administering the Federal Government, that unessential commissions, bureaus, and departments be abandoned, and that there may be systematization of all Government activities; to the Committee on Expenditures in the Executive Departments.

10336. By Mr. RUDD: Petition of R. H. Comey Brooklyn Co., Brooklyn, N. Y., with reference to the present tariff rates on hat braids coming from Japan; to the Committee on Ways and Means.

10337. Also, petition of Substitute Post Office Employees Association, New York City, favoring the Fitzpatrick House Joint Resolution 576; to the Committee on Expenditures in the Executive Departments.

10338. By Mr. SWING: Petition of the State of California, memorializing the Congress of the United States to pass Senate bill 1197, known as the farmers' farm relief act; to the Committee on Agriculture.

10339. By Mr. TREADWAY: Petition of Miss Gladys M. Jones and other residents of Ashfield, Mass., urging an embargo on shipments of arms to other countries; to the Committee on Interstate and Foreign Commerce.

10340. By the SPEAKER: Petition of the Council of the City of Pittsburgh, Pa., urging that the Postmaster General be authorized and directed to issue a special series of postage stamps commemorative of the one hundred and fiftieth anniversary of the naturalization as an American citizen and appointment of Thaddeus Kosciuszko as brevet brigadier general of the Continental Army on October 13, 1783; to the Committee on the Post Office and Post Roads.

SENATE

SATURDAY, FEBRUARY 11, 1933

(Legislative day of Friday, February 10, 1933)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 222. An act authorizing adjustment of the claim of B. F. Hart; and

S. 1586. An act for the relief of the estate of Peter Paul Franzel, deceased.

The message also announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 220. An act authorizing adjustment of the claim of the Van Camp Sea Food Co. (Inc.); and

S. 3438. An act authorizing adjustment of the claim of Lindley Nurseries (Inc.).

The message further announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 188. An act for the relief of Tampico Marine Iron Works; and

S. 2148. An act for the relief of Clarence R. Killion.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 811. An act for the relief of Martha Edwards, Norfolk Protestant Hospital, and Dr. Julian L. Rawls;

H. R. 997. An act for the relief of William L. Jenkins;

H. R. 999. An act for the relief of Lewis E. Green;

H. R. 1825. An act for the relief of William M. Stoddard;

H. R. 1938. An act for the relief of Katherine G. Taylor;

H. R. 2188. An act for the relief of Arthur K. Finney;

H. R. 2810. An act for the relief of William Sheldon;

H. R. 3036. An act for the relief of Florence Mahoney;

H. R. 3607. An act for the relief of Dr. M. M. Brayshaw;